

---

**From:** Mason, Steve  
**Sent:** Monday, August 28, 2017 5:30 PM  
**To:** Wagner, Kenneth  
**Subject:** This may be helpful to you too, when you are really bored....  
**Attachments:** Stafford Act course - FINAL June 2017.pdf

I teach this class at OSC Readiness Training...

*With Regards, Steve*



Stephen Mason  
EPA Region 6 (SFP-PE)  
1445 Ross Avenue, Dallas, TX 75202  
214-665-2276  
[mason.steve@epa.gov](mailto:mason.steve@epa.gov)

"Frequently, my thoughts get bored and walk  
down to my mouth. Often, this is a bad thing."



June 20, 2017



# Stafford Act & Mission Assignment Orientation

Or "The Road to Mission Assignments is Paved with Good Intentions"



# Session Objectives

- At end of session, participants should be able to:
  - Define the authorities, guidance, and criteria for Mission Assignments (MAs)
  - Describe the process of requesting Federal assistance using the Resource Request Process
  - Describe the MA process and MA categories
  - Describe key EPA roles under Emergency Support Functions #10, #3, and #12





So Let's Start with the  
Authorities which lead us  
down the Mission  
Assignment road



# The Big Picture: Presidential Policy Directive (PPD) 8 - National Preparedness

- Issued in March 2011
- Established 5 **mission areas**
- Required development of National Preparedness Goal
  - Goal to define needed “core capabilities”
- Development of 5 national planning frameworks
- Development of 5 supporting Federal Interagency Operational Plans (FIOPs)

The Goal is: “A secure and resilient nation with the capabilities required across the whole community to **prevent**, **protect** against, **mitigate**, **respond** to, and **recover** from the threats and hazards that pose the greatest risk.”



# Presidential Policy Directive 8: National Preparedness

National Preparedness Goal  
-- Core Capabilities for 5 Mission Areas --

## National Planning Frameworks

Prevention

Protection

Response

Recovery

Mitigation

ESF Annexes

Support Annexes

RSF Annexes

## Federal Interagency Operational Plans (FIOPs)

Prevention

Protection

Response

Recovery

Mitigation

## Incident Annexes

Oil/Chemical

Nuclear/  
Radiological

Biological

Others



# EPA's Role in Recovery

- Many EPA programs may be involved in recovery
- Potential funding sources:
  1. EPA appropriations
  2. FEMA Mission Assignments
  3. Supplemental appropriations
- Each Region has designated Recovery POCs

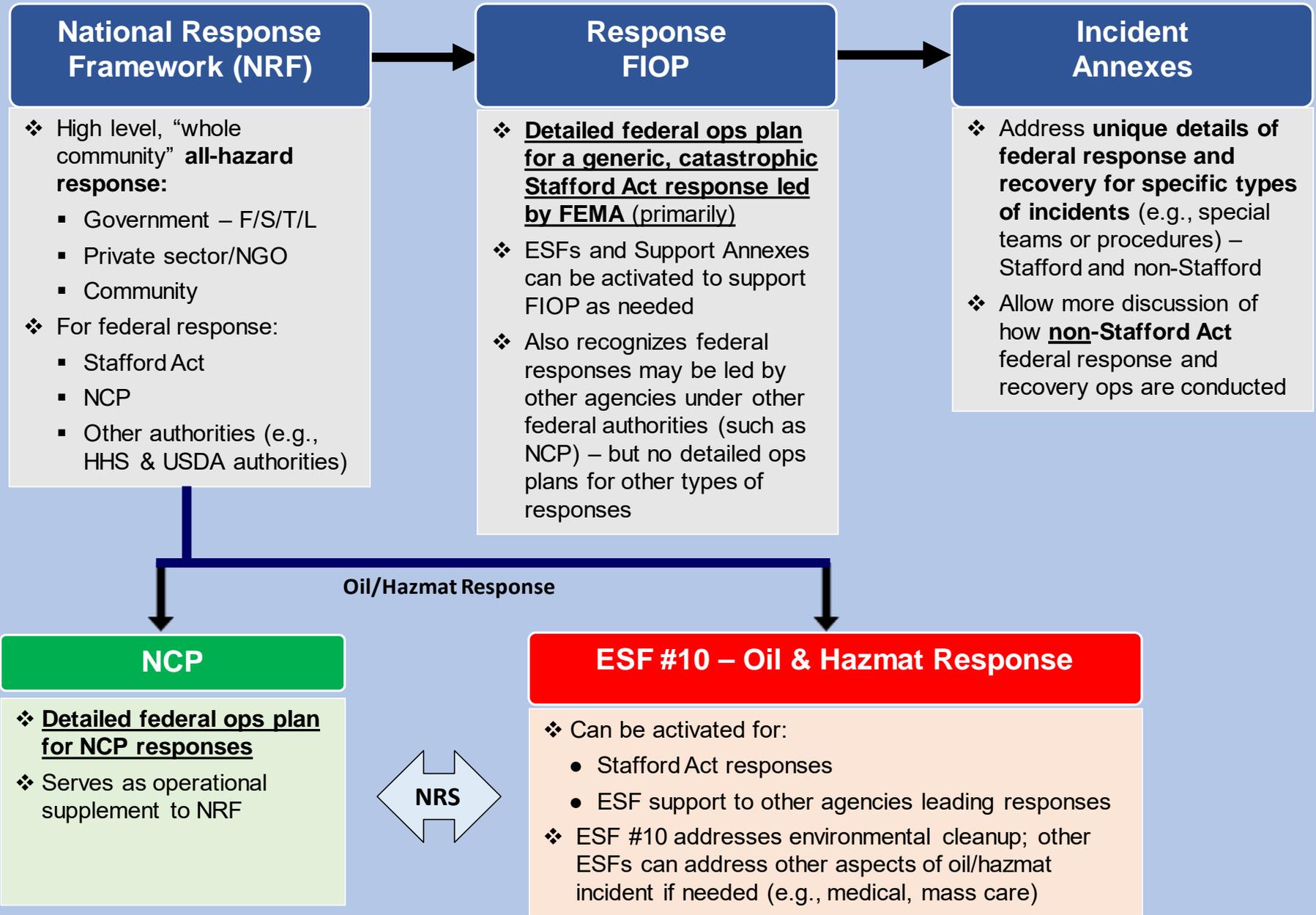


## **Examples of EPA recovery roles:**

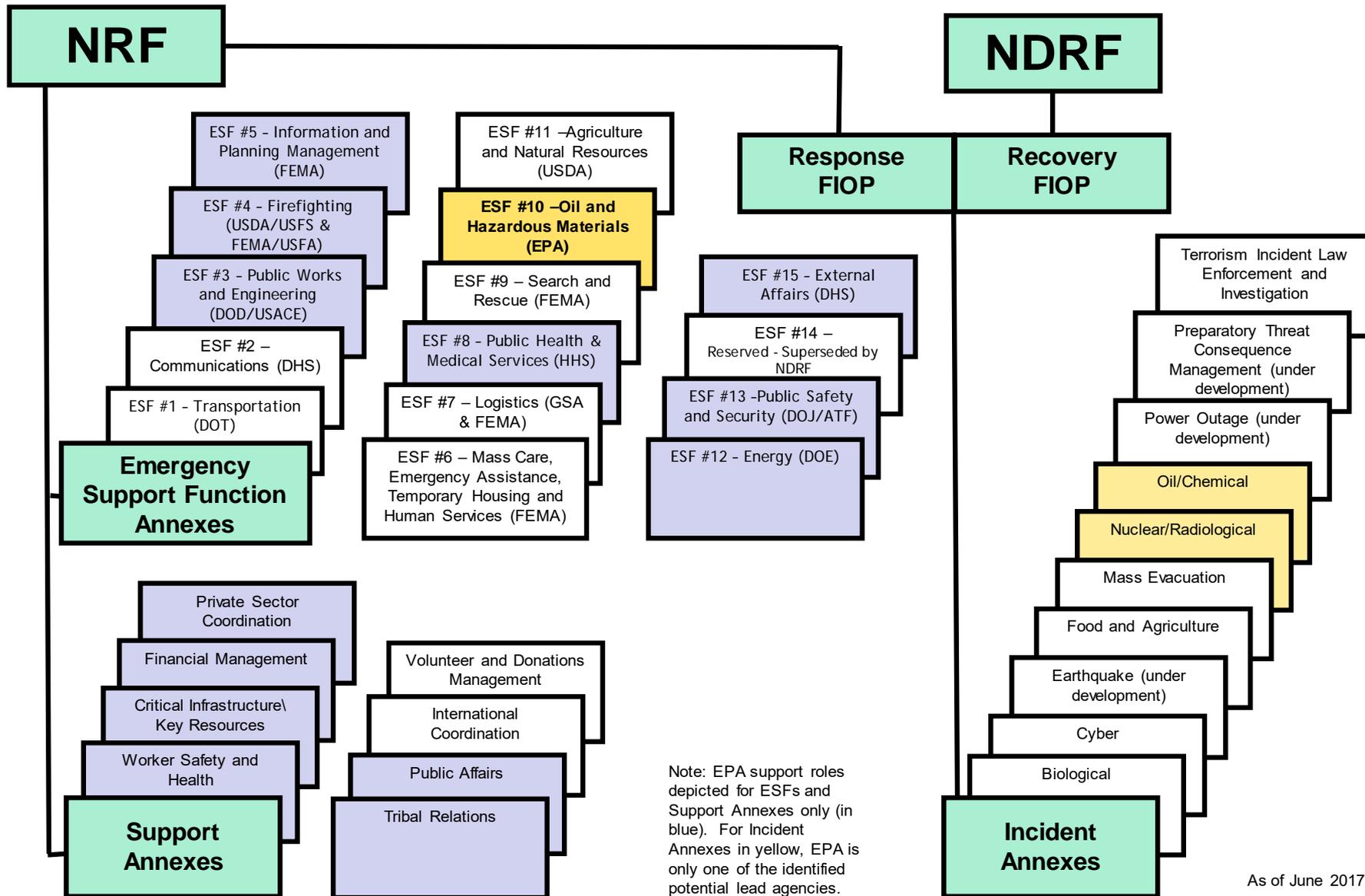
- Clean Water State Revolving Fund
- Drinking Water State Revolving Fund
- Sustainable Communities/Smart Growth
- NEPA
- Community Outreach to Stakeholder Groups (e.g., Tribes, agricultural sector, EJ communities)

## **RSFs:**

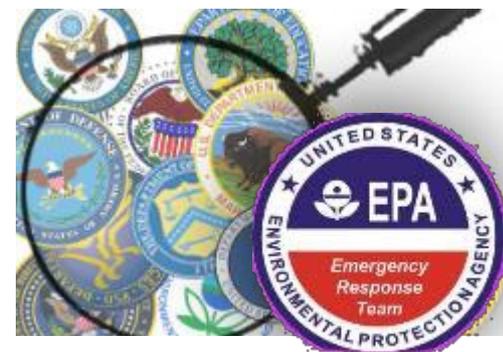
- Community Planning and Capacity Building
- Economic Recovery Support
- Health and Social Services
- Housing
- Infrastructure Systems
- Natural and Cultural Resources



# NRF/NDRF Annexes



# Emergency Support Functions (ESFs)



## What is an ESF?

- An organization of multiple agencies that coordinate to provide a specific type of emergency response support
- Originally created as a way to organize federal support for Stafford Act responses led by FEMA
- Under NRF, can also be activated to assist lead federal agency for non-Stafford Act responses, but different funding source would be needed

## How are ESFs used during Stafford Act responses?

- FEMA tasks an ESF lead agency (usually) to provide support under its ESF through issuing "Mission Assignments" and usually provides reimbursement
- ESF lead agency can tap any of its support agencies for assistance



# Intro to ESF #10 - Oil & Hazmat Response

## ESF #10 - Oil and Hazardous Materials Response Annex

Coordinator: EPA

Primary Agencies:  
EPA & USCG

Support Agencies:  
NRT agencies &  
DHS CBP & DHS IP

ESF #10 brings together capabilities of NCP National Response System to provide assessment and cleanup of oil and hazmat releases to environment

During Stafford Act response, can be tasked to conduct activities under Stafford Act that are outside of NCP authorities - but still within general realm of oil/hazmat response

During Stafford Act response, OSCs still maintain right to exercise independent NCP authorities if needed - but unlikely to receive Stafford funding

# Typical ESF #10 Response Actions Natural Disasters

- Assess extent of spills/contamination
- Respond to oil/hazmat spills and threats of spills
- Remove oil/hazmat from impacted vessels
- Collect/dispose "orphaned" containers (e.g., drums, tanks, cylinders) from impact area and debris piles
- Collect/manage household hazardous waste
- Collect/manage freon from white goods
- Debris support to states - review debris management plans; air monitoring of debris operations; landfill monitors; etc.



The Robert T. Stafford  
Disaster Relief and  
Emergency Assistance Act  
- the Law



Authorizes President to  
declare major disaster or  
emergency based on  
request of Governor of  
State or Territory, or  
Tribal Chief Executive

-President declares-

-FEMA implements-

# Stafford Act Authorities

The President "may ... **direct any Federal agency, with or without reimbursement, to utilize its authorities and the resources granted to it under Federal law**...in support of State and local assistance response or recovery efforts ..." for major disasters and emergencies



The President may also provide **other types of federal assistance** specifically defined in the law

Scope and amount of assistance available differs between "major disasters" and "emergencies"

# Disaster Assistance Programs



Public Assistance	Individual Assistance	Hazard Mitigation
Provides temporary or permanent repairs or restoration to roads, bridges, and other public infrastructure	Repair homes, replace possessions, and provide services	Fund projects to minimize future damage

# FEMA - State/Tribal Agreement

- Disaster assistance programs to be delivered
- Incident type and period
- Cost-share agreements
- State's signatory authorities
- State/tribal assurances

U.S. Department of Homeland Security  
FEMA Region I  
99 High Street  
Boston, MA 02110



FEMA

## FEMA-STATE AGREEMENT FEMA-4026-DR-NH

On September 3, 2011, the President declared that a major disaster exists in the State of New Hampshire. This declaration was based on damage resulting from Tropical Storm Irene beginning on August 26, 2011, and continuing. This is the FEMA-State Agreement for this major disaster, designated FEMA-4026-DR, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. §§ 5121-5207) (Stafford Act), in accordance with 44 C.F.R. § 206.44.

1. No Federal assistance under the Stafford Act shall be approved unless the damage or hardship to be alleviated resulted from the major disaster that took place beginning on August 26, 2011, and continuing; except that reasonable expenses that were incurred in anticipation of and immediately preceding such event may be eligible.

2. Federal assistance under the Stafford Act and this Agreement shall be limited to the following areas of the State and such additional areas as may be subsequently designated by FEMA:

Carroll, Coos, Grafton, and Merrimack Counties for Public Assistance. Direct federal assistance is authorized.

All counties in the State of New Hampshire are eligible to apply for assistance under the Hazard Mitigation Grant Program.

3. Any Federal funds provided under the Stafford Act for Public Assistance will be limited to 75 percent of total eligible costs in the designated area.

4. Funds are available on a 75 percent Federal cost share basis for hazard mitigation measures that could substantially reduce the risk of future damage, hardship, loss or suffering in any areas designated for hazard mitigation within the State, subject to meeting the local mitigation plan requirement at 44 C.F.R. 201.6 and 206.434(b)(1). Total Federal contributions are based on the estimated aggregate grant amount to be made under the Stafford Act for this disaster (less any associated administrative costs), and shall be: 15 percent for the first \$2,000,000,000 or less of such amounts; 10 percent of the portion of such amounts over \$2,000,000,000 and not more than \$10,000,000,000; and 7.5 percent of the portion of such amounts over \$10,000,000,000 and not more than \$35,333,000,000.

5. Pursuant to 44 C.F.R. § 206.208, if direct Federal Assistance is requested by the State, the Governor certifies that the State will: 1) provide without cost to the United States all lands, easements, and rights-of-ways necessary to accomplish the approved work; 2) hold and save the



# Title 44, CFR



Provides:

- Regulations to implement Stafford Act
- Definition of Mission Assignments (MAs)
- Time Limits



# Post-Katrina Emergency Management Reform Act (PKEMRA)

Specifies requirements for the development of Pre-Scripted MAs as part of the planning efforts for ESF response efforts

U.S. Department of Homeland Security  
United States Coast Guard

## Pre-Scripted Mission Assignments

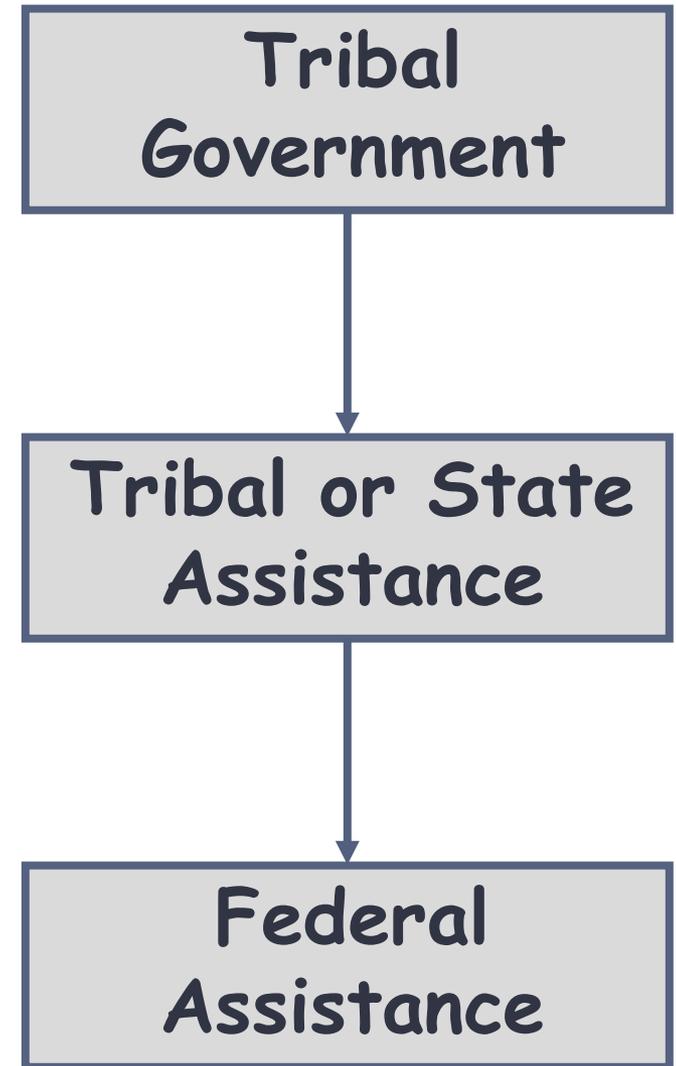
- Template language developed to help USCG and FEMA draft MAs during an incident
- Based on realistic requests for USCG support to Federal, State, and local agencies
- Organized by ESF and provides
  - Template statements of work
  - Template mission descriptions
  - USCG cost estimates
  - Key planning assumptions/factors
- Updated regularly by CG-CPE and USCG Liaisons at FEMA HQ

27

# Sandy Recovery Improvement Act



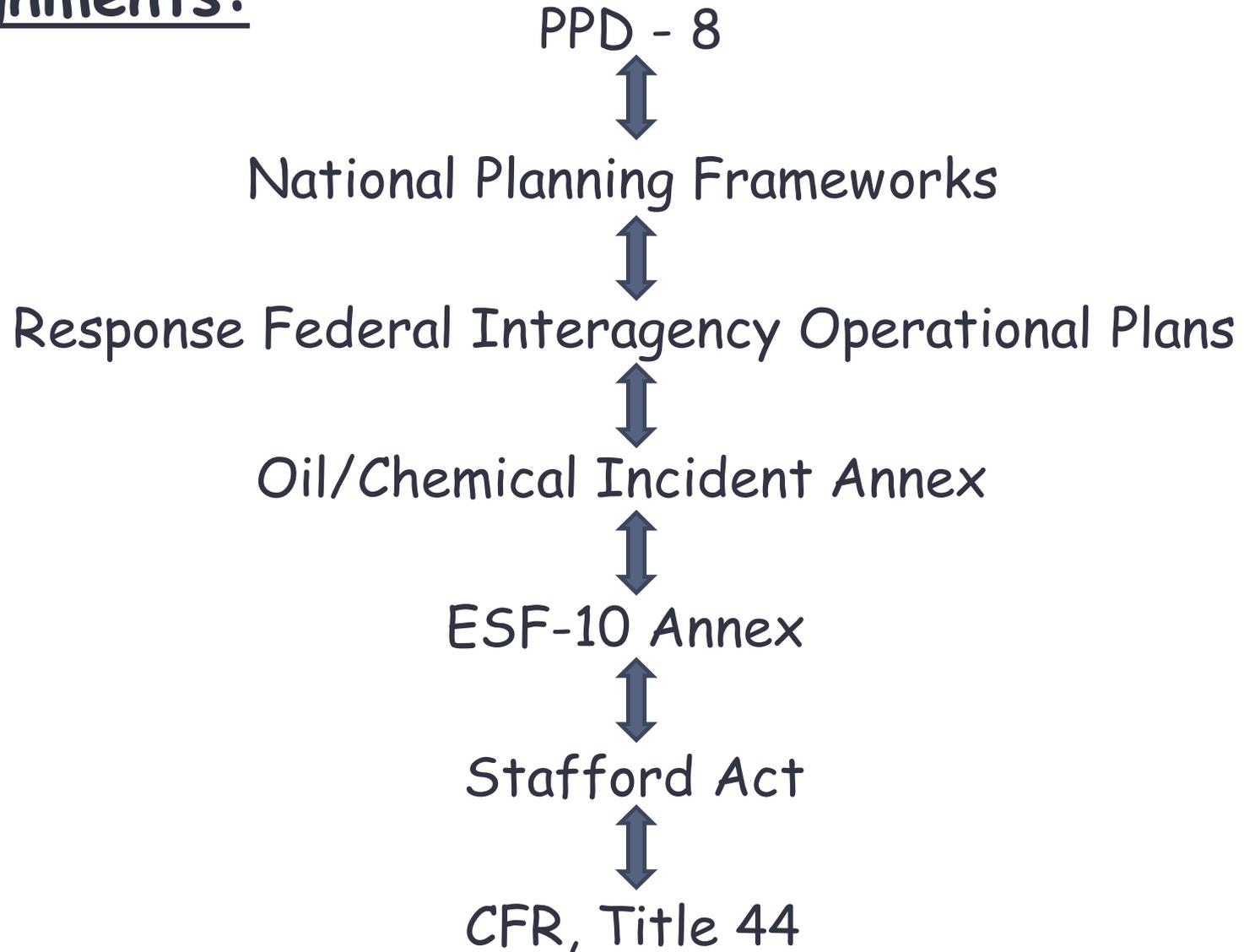
Amended the Stafford Act to provide option for federally recognized Tribe to make direct request to President for major disaster or emergency declaration





# So they all work together to get us to Mission

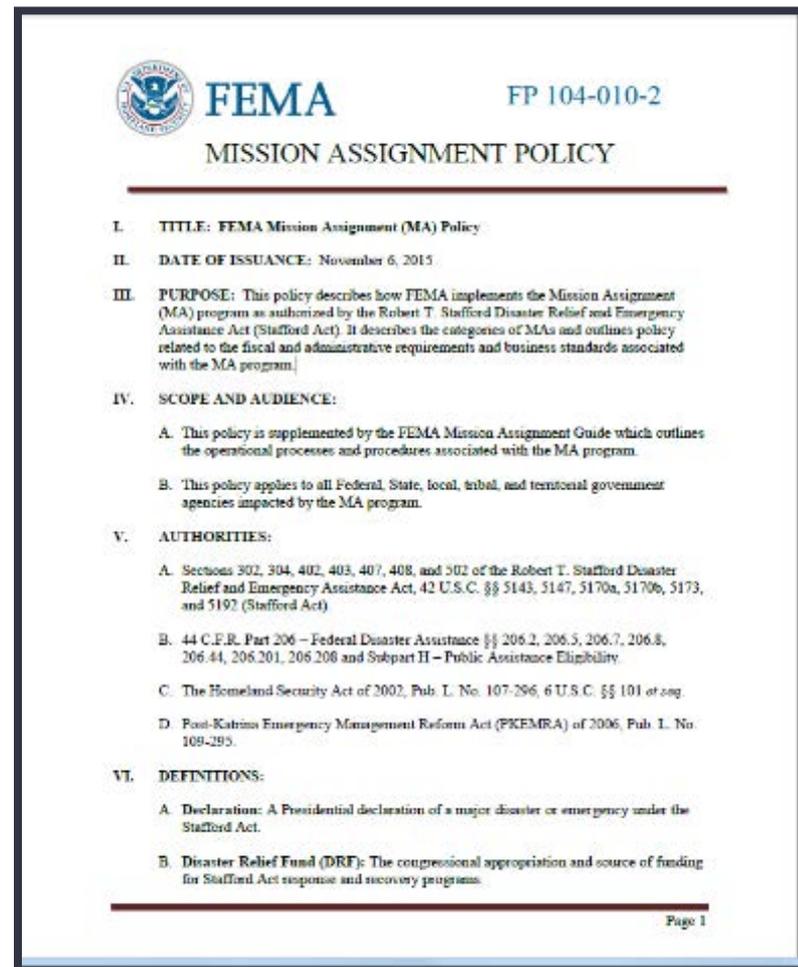
## Assignments:



# Mission Assignment Policy

Policy describes how FEMA implements MA program as authorized by Stafford Act

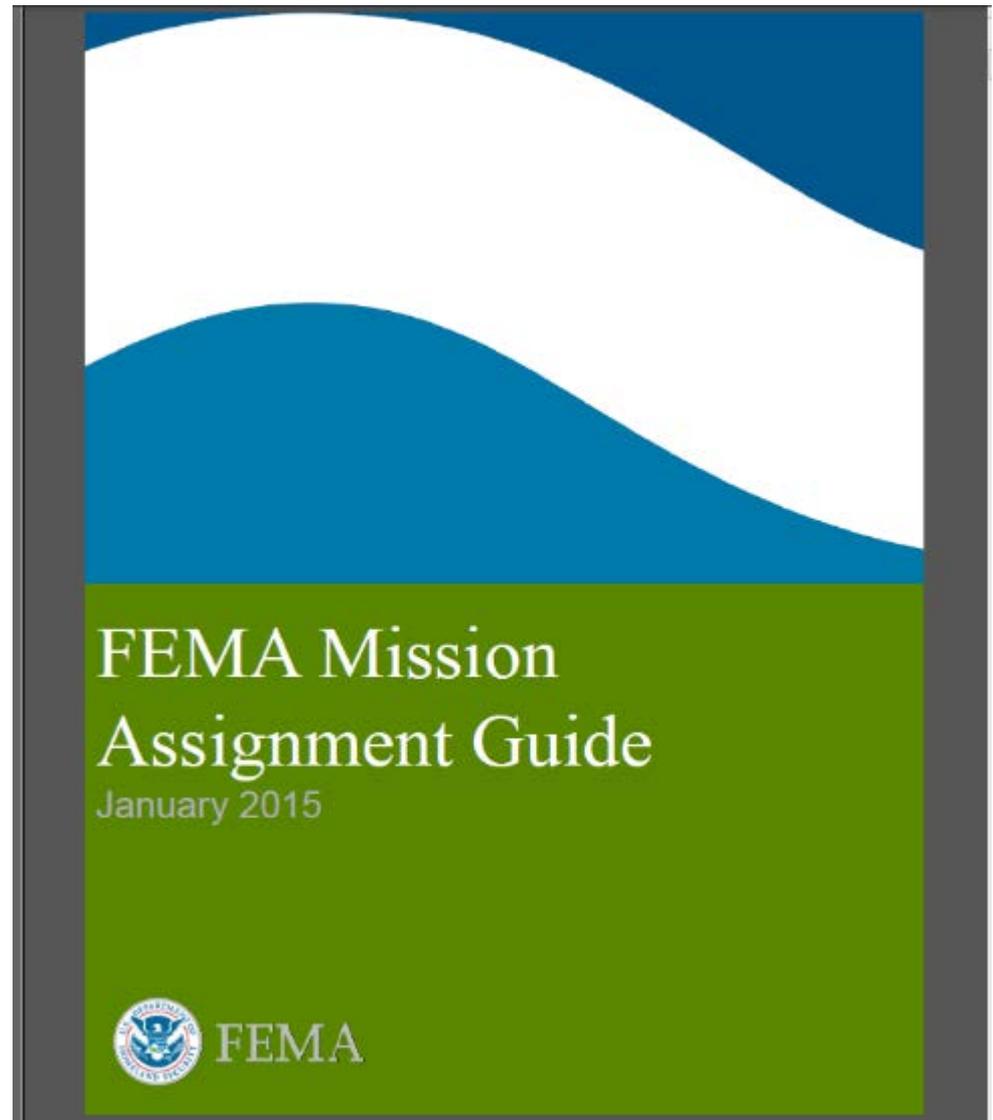
It describes categories of MAs and outlines fiscal and administrative requirements and business standards associated with MA program





# Mission Assignment Guidance

To transition  
from authorities  
to process:



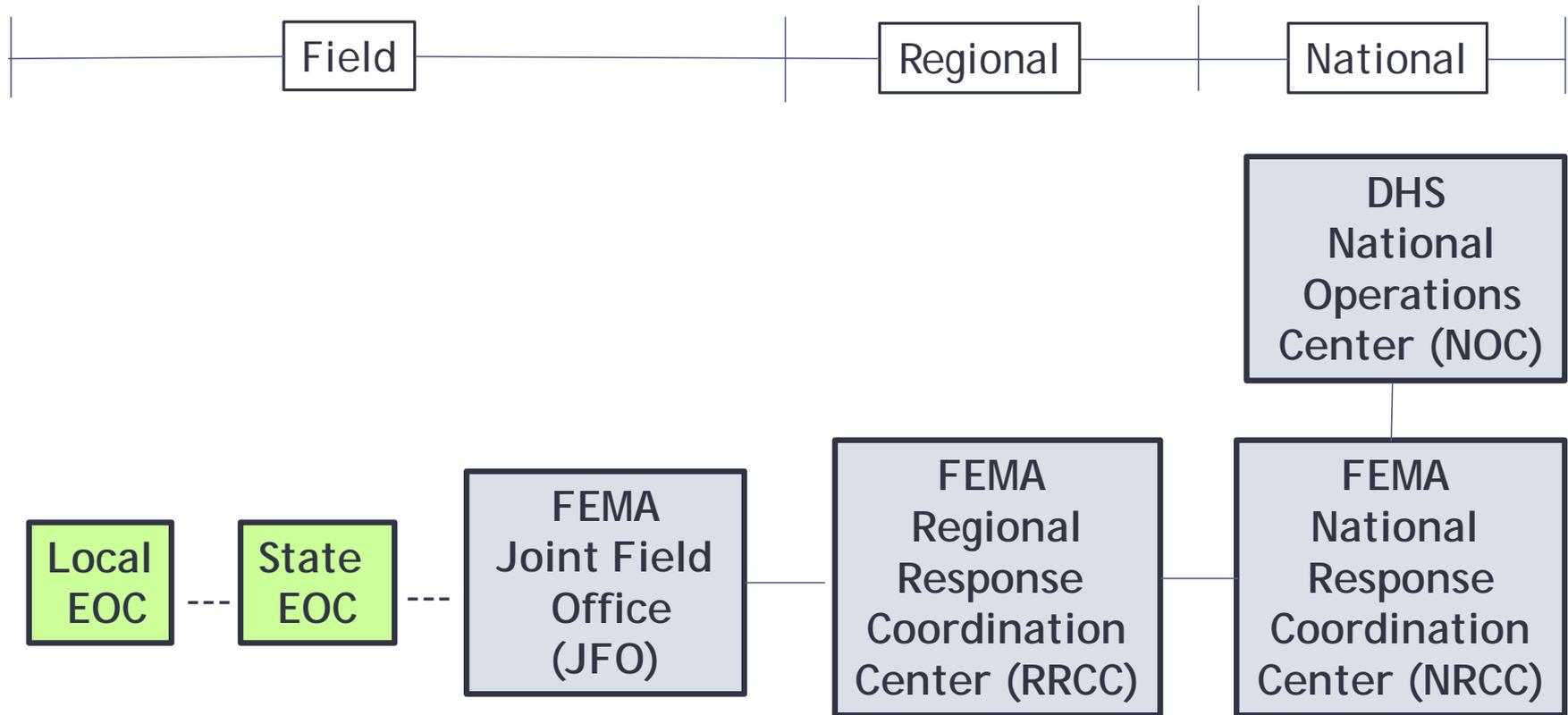
# Managing Stafford Act Responses and MAs



All-Hands Meeting at JFO for 2016 WV floods

*FEMA Photo/Steve Zumwalt*

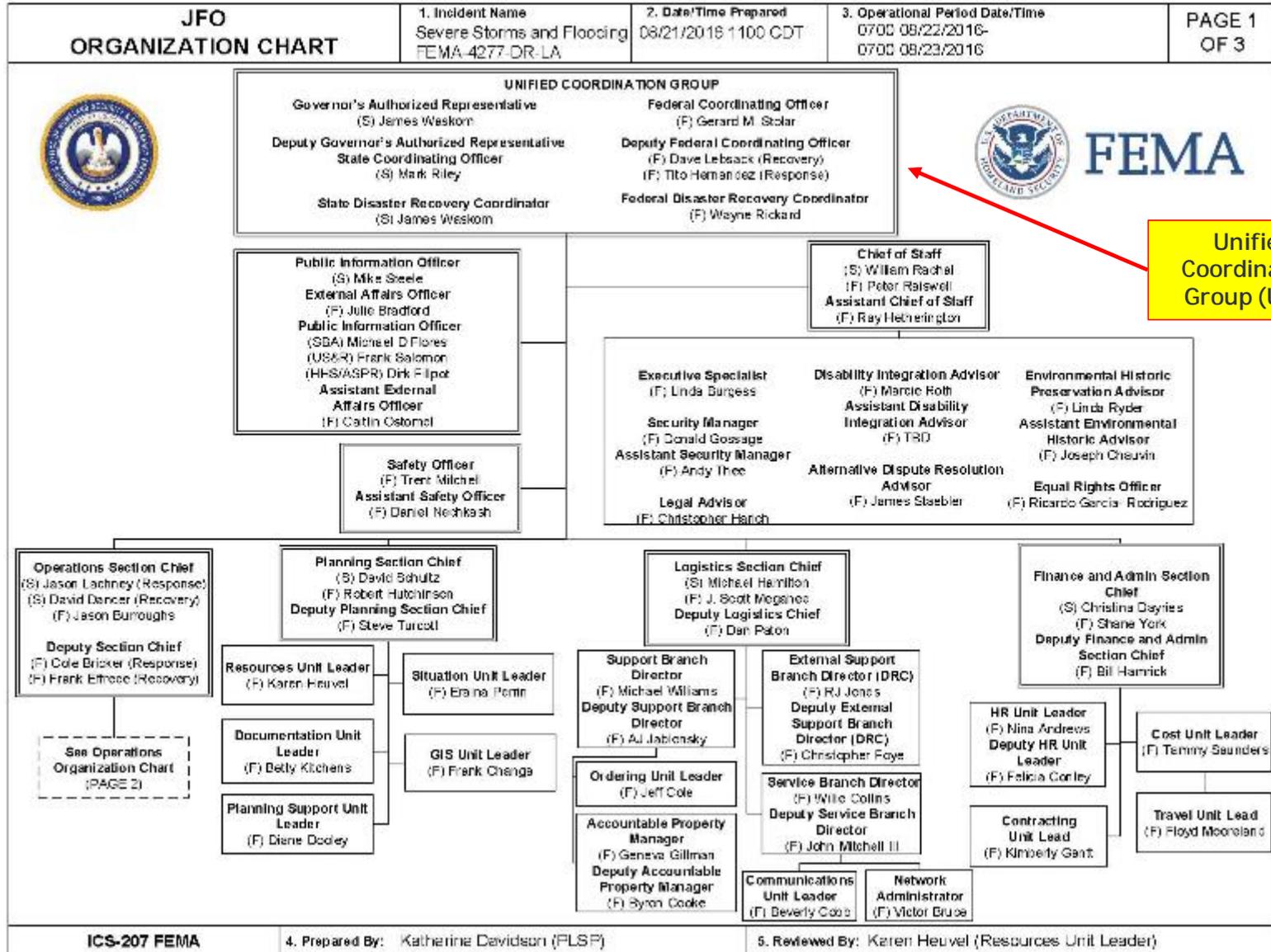
# Management Structure for Stafford Responses



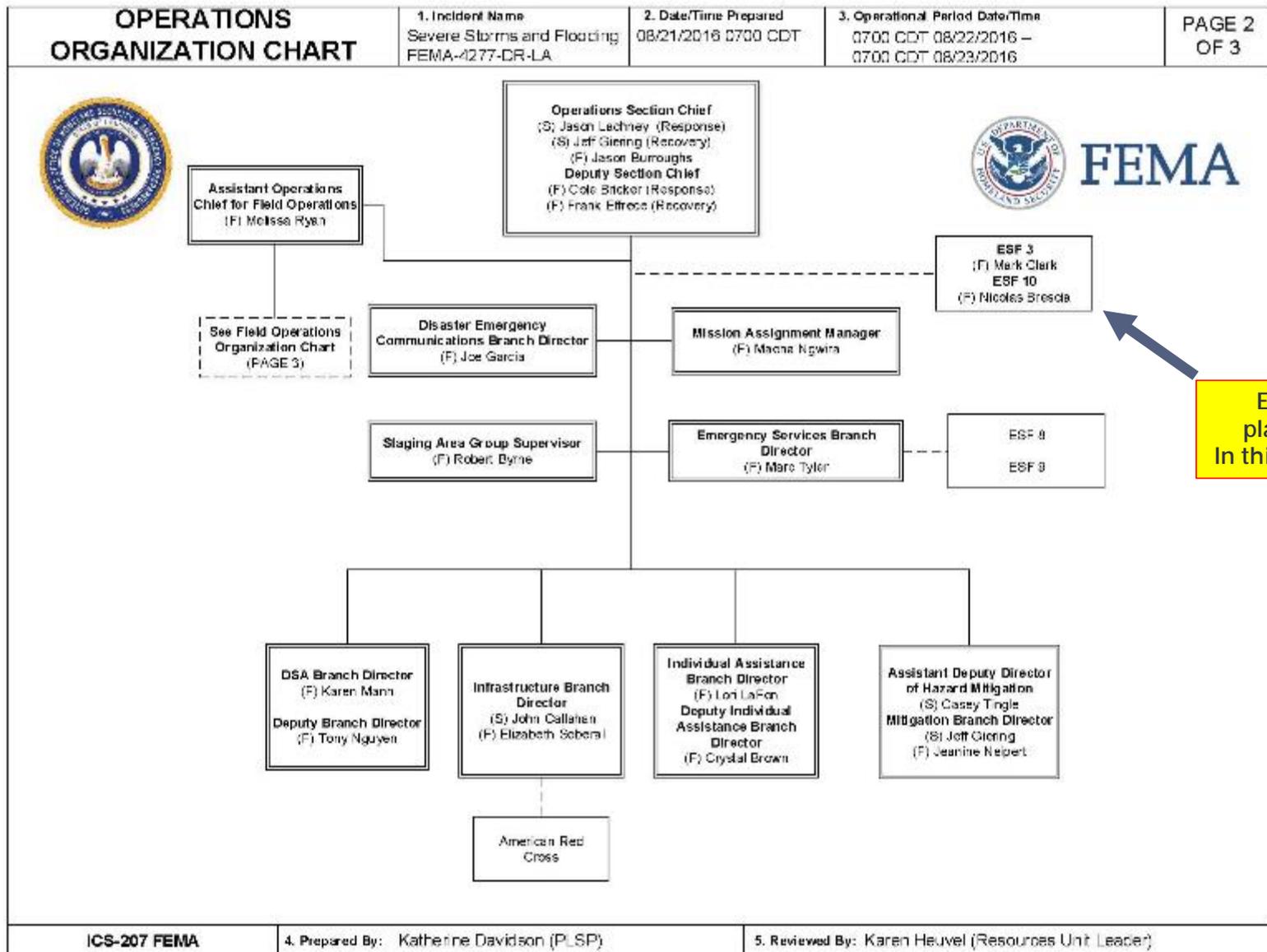
JFO = Temporary facility FEMA sets up in each state that receives a Stafford Act declaration; becomes the FEMA hub for coordinating federal response in that state. May be preceded by an Initial Operating Facility (IOF) until JFO established.

Federal Coordinating Officer (FCO) = FEMA lead in JFO who coordinates the federal response

# JFO Organizational Chart - LA Flooding -- 2016



# JFO Organizational Chart - LA Flooding -- 2016



ICS-207 FEMA

4. Prepared By: Katherine Davidson (PLSP)

5. Reviewed By: Karen Heuvel (Resource Unit Leader)



"...Or, in layman's terms,  
*Ay caramba!*"

**So, Let's cover a couple  
of terms before we move  
into the process**



# Emergency



"Any occasion or instance for which Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert threat of catastrophe in any part of U.S."



# Characteristics of an Emergency

- Is beyond State and local abilities
- Supplementary emergency assistance
- Not to exceed \$5 million
- Must submit request within 5 days





# Major Disaster



"Any natural catastrophe... or, regardless of cause, any fire, flood, or explosion in any part of the U.S. which causes damage of sufficient severity and magnitude to warrant major disaster assistance to supplement efforts and available resources of States, local governments, and disaster relief organizations"



# Characteristics of a Major Disaster:



## Major Disaster:

- Is beyond State and local capabilities
- Supplements available resources of State/local governments, disaster relief organizations, and insurance
- Must be requested within 30 days of incident



# Incident Period

- Time span during which incident occurs
- Specified at time of declaration
- May be open-ended
- May be closed/reopened
- Determined by info provided by NWS, State, and Region



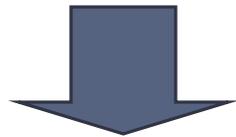
# Disaster Assistance Programs under a Declaration

**Mission  
Assignments**



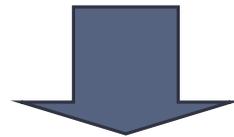
**Support  
response  
capability**

**Public  
Assistance**



**Provide temporary  
or permanent  
repairs or  
restoration to  
roads, bridges, and  
other public  
infrastructure**

**Individual  
Assistance**



**Repair homes,  
replace  
possessions, and  
other services.**

**Hazard  
Mitigation**



**Fund projects  
to minimize  
future  
damage**



# So When President Makes a Declaration:

It can be for:

- Individual Assistance
- Public Assistance
- Hazard Mitigation

Public Assistance Categories:

- Category A: Debris removal
- Category B: Emergency protective measures
- Category C: Road systems and bridges
- Category D: Water control facilities
- Category E: Public buildings and contents
- Category F: Public utilities
- Category G: Parks, recreational, and other

Declaration can be for State and locals to do work for reimbursement, or it can include Direct Federal Assistance

# Sample Declarations

There have been 3,376 EM declarations since 1974, and 4,275 DR (Major Disaster) declarations since 1952

**Sample Emergency Declaration (EM-3347) declared on August 27, 2012**

The parishes of Acadia, Allen, Avoyelles, Cameron, East Baton Rouge... for emergency protective measures (Category B), limited to direct federal assistance, under the Public Assistance program.

## **Sample Disaster Declaration (DR-4080) declared on August 29, 2012**

### **Individual Assistance**

Federal funding is available to affected individuals in Ascension, Assumption, Jefferson, Lafourche... parishes. Assistance can include grants for temporary housing and home repairs, and uninsured property losses, and other programs to help individuals and households recover from the effects of the disaster.

### **Public Assistance**

The parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Cameron, East Baton Rouge... for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program at 75 percent federal funding.

All parishes within the State of Louisiana are eligible to apply for assistance under the Hazard Mitigation Grant Program.

# How the Process Works



# What is a Mission Assignment (MA)?

## Definition

Work order issued by FEMA to another Federal agency directing completion of specific task, and citing funding, other managerial controls, and guidance

Given in anticipation of, or response to Presidential declaration of emergency or major disaster



# An MA is NOT:

- Interagency Agreement
  - Can be used by any Agency under the Economy Act
- Memorandum of Understanding/Agreement
  - Non-binding agreement on responsibilities and procedures
  - No funding involved
- Contract
- Grant





# Why Are MAs Issued ?



To fulfill:

- State's request for Federal assistance to meet unmet emergency needs
- Federal request to support disaster operations

# Activation of ESFs

U.S. Department of Homeland Security  
FEMA Region 6  
800 North Loop 288  
Denton, TX 76209



FEMA

May 11, 2011

Steve Mason  
Environmental Protection Agency  
1445 Ross Ave  
Suite 1200  
Dallas, TX 75202-2733

Dear Mr. Mason,

On May 6, 2011 the President declared an emergency to exist in the State of Louisiana due to flooding 3322-EM-LA.

Pursuant to the Public Law 93-288, as amended by PL 100-707; Executive Order 12148; and Title 44, Code of Federal Regulations (CFR) Subpart 206 (Federal Disaster Assistance), and the National Response Framework, your agency has hereby been activated to receive mission assignment taskings to provide assistance from duly authorized representatives of the Federal Emergency Management Agency (FEMA). All tasks will be supported by a mission assignment that will be furnished to your agency representative.

Mission Assignment execution will begin immediately upon issuance of the Mission Assignment. Pursuant to the above stated authorities, your agency is expected to incur all costs associated with performance of assigned missions including payment of vendors and contractors, unless otherwise specified under separate agreement with FEMA.

Reimbursement for eligible expenses incurred shall be in accordance with the provisions of 44 CFR 206.8, Subpart A, Reimbursement of Other Federal Agencies. In order to receive additional obligating authority above the limitation cited in the Mission Assignment, your agency must, prior to the time the funding limitation is expended; submit a request for additional funds to FEMA for revision of that limitation to include:

- 1) An accounting of actual costs incurred to date under the cited limitation and any amendment thereto,
- 2) An estimate of the revised total cost of the project, and
- 3) Any specific information necessary to support this request.

FEMA officials may not approve reimbursement of costs incurred while performing work pursuant to disaster assistance authorities independent of the Stafford Act. Additionally, expenses incurred in performance of an activity not directed and approved by FEMA or otherwise beyond the statement of work and funding limitation of an approved Mission Assignment will not be eligible for reimbursement.

Requests for reimbursement (SF 1080, SF 1081 and On-Line Payments and Collection (OPAC) system) must be submitted or billed to FEMA ALC 70-07-0002 with support documentation sent to the Berryville Office in accordance with Section 206.8 of the previously cited regulations and contain sufficient detailed information on which to base an approval. The request for reimbursement will be accompanied by documentation which

[www.fema.gov](http://www.fema.gov)

- When first activated for incident, Federal agency is issued Activation Letter
- Activation Letters are official notice agency activated under NRF
- Letter contains information on how to claim reimbursement
- Activation MA should be issued within 24 hours of letter
- Activation Letters are not funding documents

# Common Terms in MA Process

## Forms

- Resource Request Form (RRF)
- MA Form
- MA Task Order Form
- MA Subtasking Form

DEPARTMENT OF HOMELAND SECURITY Federal Emergency Management Agency RESOURCE REQUEST FORM (RRF)			O.M.B. No. 1600-0002 Expires May 31, 2017	
<small>PAPERWORK BURDEN DISCLOSURE NOTICE</small>				
<small>Public reporting burden for this form is estimated to average 20 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing this form. This collection of information is required to obtain or retain benefits. You are not required to respond to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collection Management, Department of Homeland Security, Federal Emergency Management Agency, 520 C Street, SW, Washington, DC 20472-3100, Paperwork Reduction Project (1600-0002). NOTE: Do not send your completed form to this address.</small>				
<b>I. REQUESTING ASSISTANCE (To be completed by Requestor)</b>				
1. Requestor's Name (Please print)		2. Title		3. Phone No.
4. Requestor's Organization		5. Fax No.	6. E-Mail Address	
<b>II. REQUESTING ASSISTANCE (To be completed by Requestor)</b>				
1. Description of Requested Assistance				
2. Quantity	3. Priority	<input type="checkbox"/> Life-saving <input type="checkbox"/> Life Sustaining <input type="checkbox"/> Normal <input type="checkbox"/> High	4. Date and Time Needed	
5. Delivery Site Location			6. Site Point of Contact (POC)	
			7. 24 Hour Phone No.	8. Fax No.
9. State Approving Official Signature				10. Date and Time
<b>III. SOURCING THE REQUEST - REVIEW/COORDINATION (Operations Section Only)</b>				
1. <input type="checkbox"/> OPS Review by: _____ <input type="checkbox"/> LOG Review by: _____ <input type="checkbox"/> Other Coordination: _____ <input type="checkbox"/> Other Coordination: _____		2. Source: <input type="checkbox"/> Donations <input type="checkbox"/> Other (Explain) _____ <input type="checkbox"/> Requisitions <input type="checkbox"/> Procurement <input type="checkbox"/> Interagency Agreement <input type="checkbox"/> Mission Assignment		3. Assigned to: ES/IOFA: _____ RS/IOFA: _____ Other: _____ Date/Time: _____
4. Immediate Action Required <input type="checkbox"/> Yes <input type="checkbox"/> No				
<b>IV. STATEMENT OF WORK (Operations Section Only)</b>				
1. OFA Action Officer		2. 24 Hour Phone #	3. Fax #	
4. FEMA Project Manager		5. 24 Hour Phone #	6. Fax #	
7. Statement of Work <input type="checkbox"/> See Attached				
8. Estimated Completion Date			9. Estimated Cost	
<b>V. ACTION TAKEN (Operations Section Only)</b>				
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input type="checkbox"/> Requestor Notified				
Reason / Disposition				
FEMA FORM 010-0-7			PREVIOUSLY FF 90-126	
			Page 1 of 2	



# Criteria for MA Issuance

- Issued during Emergency Response Phase
- Involves **ONLY** non-permanent work in area
- Involves utilizing a Federal Agency's unique resources
- Other existing authority
- Beyond State/local capabilities





# Identify Need

States, Territories, or Tribes may seek Federal assistance:

- After Presidential Emergency or Major Disaster Declaration
- When they cannot meet needs

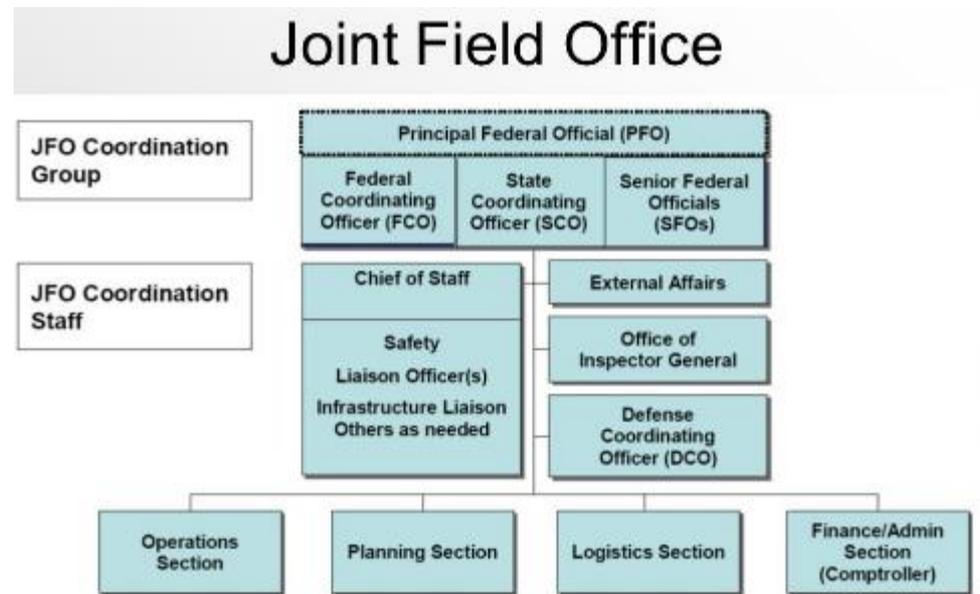


Needs are also identified through deliberate planning

## 2 Categories of Mission Assignments

1. Federal Operations Support (FOS):
  - Eligible before or after a declaration
  - Support to Federal responders
  - Requested by Federal Government
  - 100% Federally funded

"FED to FED"  
EXAMPLE: Activate  
ESF-10 to RRCC and/or  
JFO.



## 2 Categories of Mission Assignments

### 2. Direct Federal Assistance (DFA)

- Eligible after declaration
- For goods or services beyond State or Tribe's capability to provide
- Subject to cost share
- Requests signed by State or Tribe
- Actual work done for State or Tribe

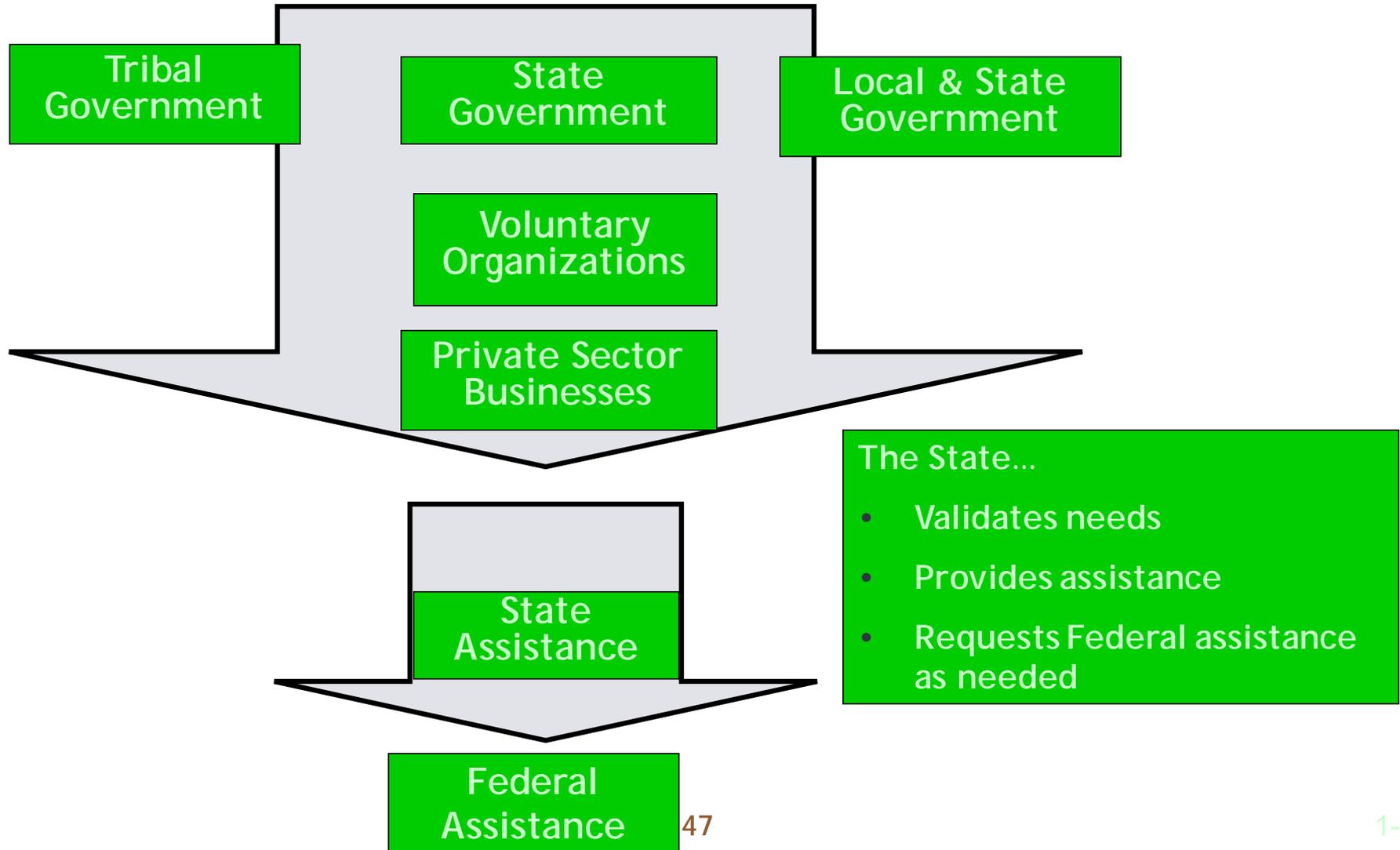


"Dirty Hands =  
We do Work"  
EXAMPLE:  
Sampling, air  
monitoring



# Who Can Request Federal Assistance?

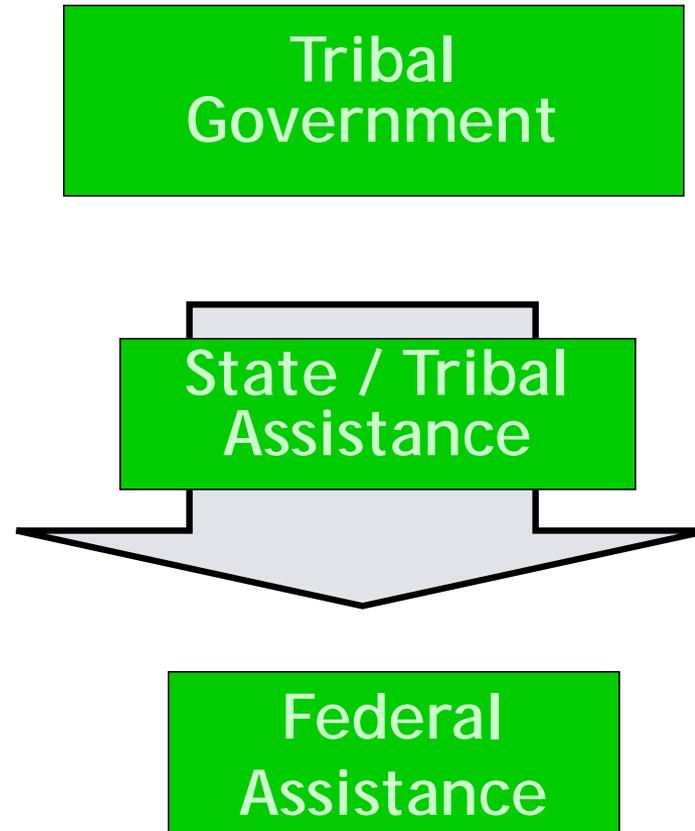
Variety sources can identify needs for assistance





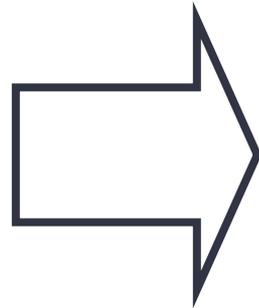
# Who Can Request Federal Assistance?

Variety of sources can identify needs for assistance



# Request Process

Requestor  
Submits RRF to  
Operations  
Section through  
State EOC



Action Tracker/ MA  
Specialist

1. Logs RRF
2. Forwards to Operations  
Section Chief for review



# Resource Request Form

The Resource Request Form (RRF) 010-0-7 is used to request Federal assistance

All official requests should be made to FEMA via RRF

DEPARTMENT OF HOMELAND SECURITY Federal Emergency Management Agency RESOURCE REQUEST FORM (RRF)		O.M.B. No. 1660-0002 Expires May 31, 2017	
<b>PAPERWORK BURDEN DISCLOSURE NOTICE</b>			
<small>Public reporting burden for this form is estimated to average 20 minutes per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting this form. This collection of information is required to obtain or retain benefits. You are not required to respond to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472-3100, Paperwork Reduction Project (1660-0047). NOTE: Do not send your completed form to this address.</small>			
<b>I. REQUESTING ASSISTANCE (To be completed by Requestor)</b>			
1. Requestor's Name (Please print)	2. Title	3. Phone No.	
4. Requestor's Organization	5. Fax No.	6. E-Mail Address	
<b>II. REQUESTING ASSISTANCE (To be completed by Requestor)</b>			
1. Description of Requested Assistance:			
2. Quantity	3. Priority <input type="checkbox"/> Lifesaving <input type="checkbox"/> Life Sustaining <input type="checkbox"/> Normal <input type="checkbox"/> High	4. Date and Time Needed	
5. Delivery Site Location	6. Site Point of Contact (POC)		
	7. 24 Hour Phone No.	8. Fax No.	
9. State Approving Official Signature	10. Date and Time		
<b>III. SOURCING THE REQUEST - REVIEW/COORDINATION (Operations Section Only)</b>			
1. <input type="checkbox"/> OPS Review by: _____ <input type="checkbox"/> LOG Review by: _____ <input type="checkbox"/> Other Coordination: _____ <input type="checkbox"/> Other Coordination: _____ <input type="checkbox"/> Other Coordination: _____	2. Source: <input type="checkbox"/> Donations <input type="checkbox"/> Other (Explain) _____ <input type="checkbox"/> Requisitions <input type="checkbox"/> Procurement <input type="checkbox"/> Interagency Agreement <input type="checkbox"/> Mission Assignment	3. Assigned to: ESF/OFA: _____ RSF/OFA: _____ Other: _____ Date/Time: _____	
4. Immediate Action Required <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>IV. STATEMENT OF WORK (Operations Section Only)</b>			
1. OFA Action Officer	2. 24 Hour Phone #	3. Fax #	
4. FEMA Project Manager	5. 24 Hour Phone #	6. Fax #	
7. Statement of Work <input type="checkbox"/> See Attached			
8. Estimated Completion Date			9. Estimated Cost
<b>V. ACTION TAKEN (Operations Section Only)</b>			
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input type="checkbox"/> Requestor Notified			
Reason / Disposition			
FEMA FORM 010-0-7			
PREVIOUSLY FF 90-136		Page 1 of 2	

# Resource Request Form – Sections I and II

## RRF Sections I & II

### I. REQUESTING ASSISTANCE (To be completed by Requestor)

1. Requestor's Name (Please print) Laurie Miller	2. Title INGS	3. Phone No. 425-931-6616
4. Requestor's Organization FEMA	5. Fax No.	6. E-Mail Address laurie.miller@fema.dhs.gov

### II. REQUESTING ASSISTANCE (To be completed by Requestor)

1. Description of Requested Assistance: Activate the U.S. Army Corps of Engineers (USACE) to the FEMA Region 10 Regional Response Coordination Center (RRCC) IMATs, IOE, IIO or other locations as assigned to perform duties of Emergency Support Function (ESF) #3 in support of Post-Declaration disaster operations in response to the landslide in Oso, WA.			
2. Quantity 1	3. Priority <input type="checkbox"/> Lifesaving <input type="checkbox"/> Life Sustaining <input checked="" type="checkbox"/> High	<input type="checkbox"/> Normal	4. Date and Time Needed 03/25/2014
5. Delivery Site Location Region X RRCC 130 228TH ST SW Bothell, WA 98021		6. Site Point of Contact (POC) Laurie Miller	
		7. 24 Hour Phone No. 425-931-6616	8. Fax No.
9. State Approving Official Signature			10. Date and Time



# RRF Eligibility Review

- Operations Section Chief
  - Eligible under Stafford Act?
  - Beyond State/Tribe and local capabilities?

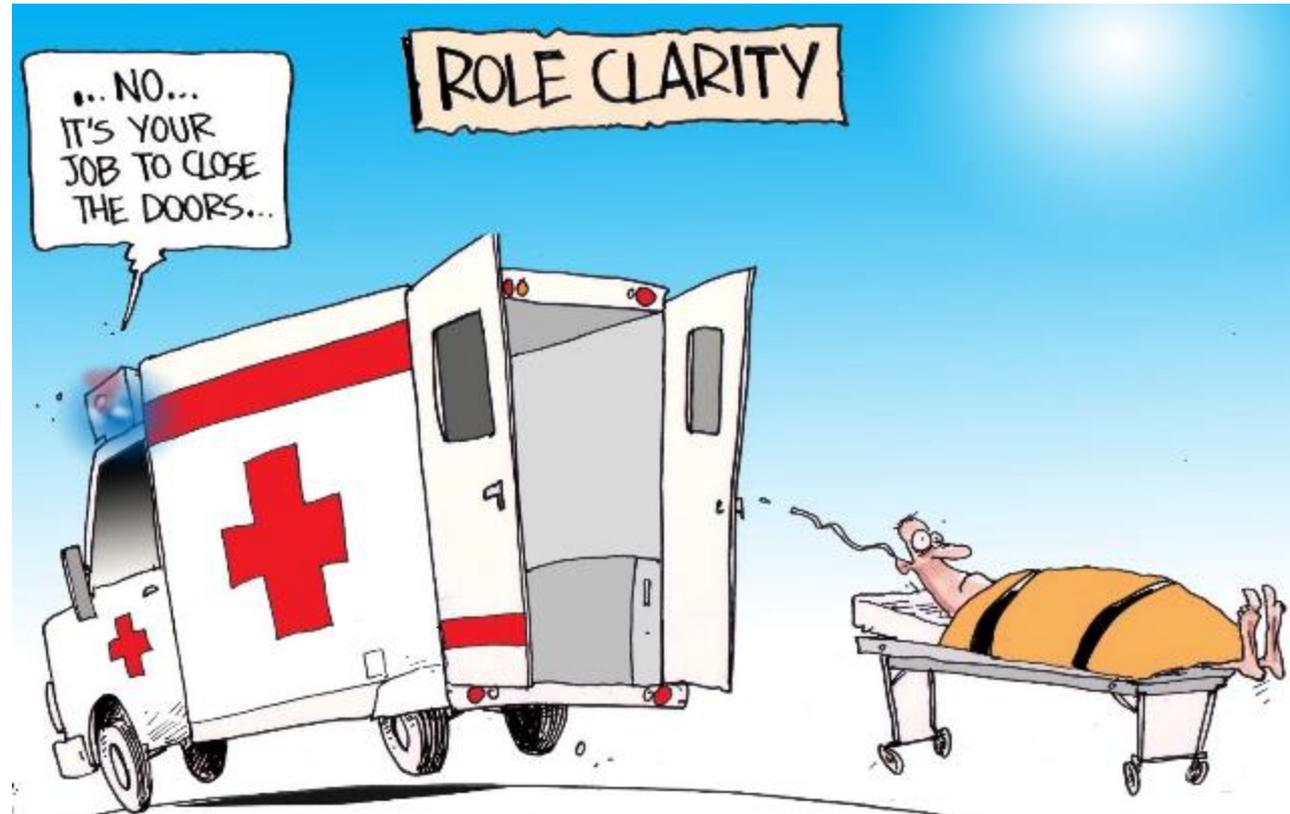


# RRF Eligibility Review

- Operations Section Chief
  - Permanent restorative work?
  - Existing other Federal agency authority?



# RRF Eligibility Review



- Operations Section Chief
  - Appropriate requestor?
  - Clarity of request?
  - Signed by State Approving Official (SCO)

# Fact Sheet: Evaluating Requests

Criteria	Explanations
Eligible under Stafford Act	44 CFR 206.225: Purpose of emergency protective measures: <ul style="list-style-type: none"> <li>• Saving lives</li> <li>• Protecting improved property</li> <li>• Protecting public health and safety</li> </ul>
Beyond State and Local capabilities	Perhaps State and Local areas need help in finding vendor, rather than having Federal Government providing resource directly. Sometimes this can be done through GSA's list of vendors, etc. It's often less expensive if State works to secure a resource.
Not for permanent restorative work	MAs are issued only for emergency work, not permanent restorative work or long-term studies. Public Assistance program pays for permanent restorative work.
Not under existing OFA authority	Some agencies have their own authority to provide emergency assistance.
Appropriate requestor	Requestor can be any Tribal, Local, State, or Federal representative, but request has to be approved by authorized State and/or Federal representative.
Clear description of request	<ul style="list-style-type: none"> <li>• What is requested?</li> <li>• Where is resource needed?</li> <li>• When is resource needed?</li> <li>• Why is resource needed?</li> <li>• How long will resource be needed?</li> <li>• Does description help identify best source?</li> </ul>

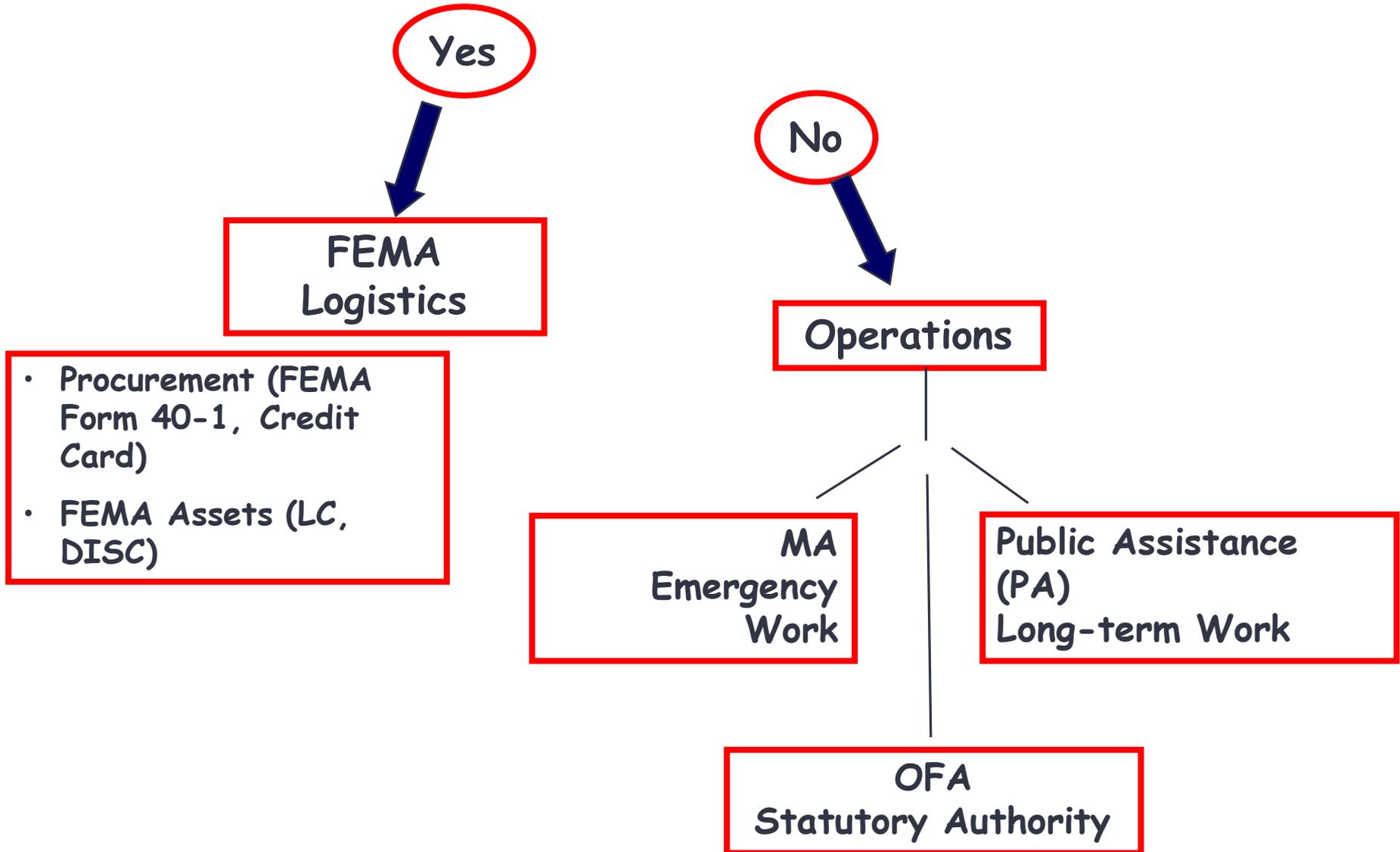


# Sections III: Sourcing the Request

## RRF Section III: Sourcing the Request

III. SOURCING THE REQUEST - REVIEW/COORDINATION (Operations Section Only)		
1. <input checked="" type="checkbox"/> OPS Review by: <u>Scott Schaefer</u> <input type="checkbox"/> LOG Review by: _____ <input type="checkbox"/> Other Coordination: _____ <input type="checkbox"/> Other Coordination: _____ <input type="checkbox"/> Other Coordination: _____	2. Source: <input type="checkbox"/> Donations <input type="checkbox"/> Other (Explain) <input type="checkbox"/> Requisitions <input type="checkbox"/> Procurement <input type="checkbox"/> Interagency Agreement <input checked="" type="checkbox"/> Mission Assignment	3. Assigned to: ESF/OFA: <u>ESP 3</u> RSF/OFA: _____ Other: _____ Date/Time: _____
4. Immediate Action Required <input type="checkbox"/> Yes <input type="checkbox"/> No		

# Can the Request Be Met By FEMA In-House?



# Sections IV: Statement of Work (SOW)

## RRF Section IV: Statement of Work (SOW)

IV. STATEMENT OF WORK (Operations Section Only)		
1. OFA Action Officer Jennifer Chang	2. 24 Hour Phone # 503-868-1907	3. Fax #
4. FEMA Project Manager Laurie Miller	5. 24 Hour Phone # 425-931-6612	6. Fax #
7. Statement of Work <i>Activate the USACE to perform functions of Emergency Support Function (ESF) #3 at the direction and coordination of FEMA. This activation may include support to FEMA Region 10 ERCC, IOF, JFO, IMATs, ESF #5, and other teams or locations. This activation also may include contract audit support to ensure costs incurred under USACE MA meet all Stafford Act and regulatory requirements, at the direction and coordination of FEMA. ESF #3 Team Leader and site-specific support staff may be used, including Prime Power and administrative and management support and/or other mission subject matter experts (SMEs), some of which may be operating at the Recovery Field Office (RFO), if operational. ESF #3 Support Agency representatives may be activated to serve as liaisons to the ESF #3 Management Team for public work/infrastructure assistance.</i>		<input type="checkbox"/> See Attached
8. Estimated Completion Date 04/11/2014	9. Estimated Cost 50,000.00	

# Phase I—MA Issuance



MA reviewed by Operations Chief for content

MA is signed by:

MAC, PO, & SCO or Tribal approving official (DFA)

Federal Approving Official

Comptroller

Certifies, obligates funds, forwards MA to DFC

MAC provides copy to Other Federal Agency (ESF)



# SOW Criteria

- Who will perform work?
- What type of work is to be done?
- Where is work performed?
- How will work be done?





# Broad or Specific SOW?

Broad  
SOW

If work is likely to be  
requested more  
than once

Specific  
SOW

If work is likely a one-  
time undertaking





# Pre-Scripted Mission Assignments (PSMAs)

- Facilitate rapid response and standardize MAs
- Provide standard SOWs and cost estimates
- Are templates, not MAs
- Should be tailored to incident
- Require approval
- EPA and USCG have several ESF #10 PSMAs
- Focus:
  - Natural disasters
  - Activate to RRCC/JFO and NRCC
  - Initial assessment and response



# Section V: Action Taken

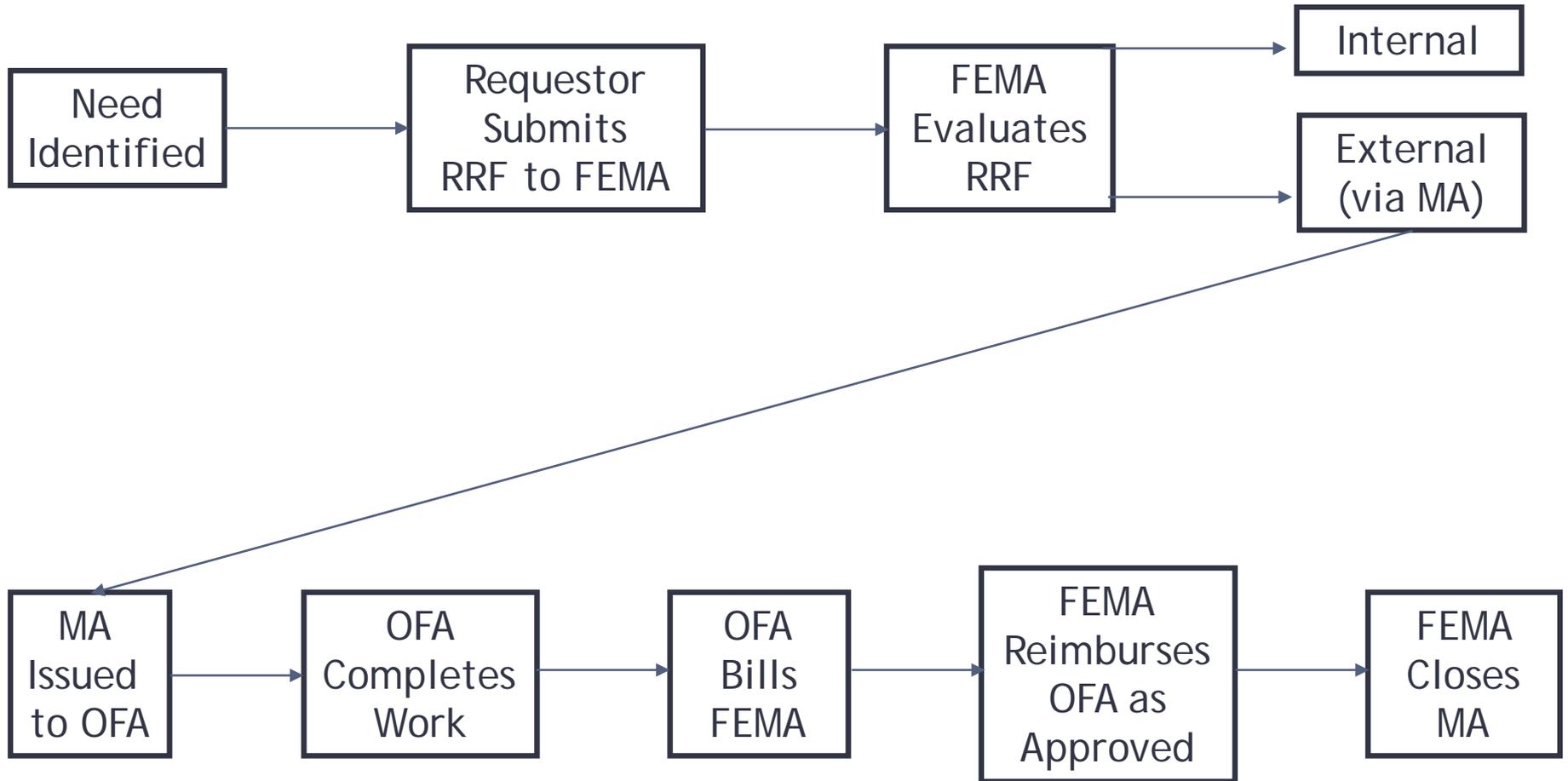
## RRF Section V: Action Taken

<b>V. ACTION TAKEN (Operations Section Only)</b>		
<input type="checkbox"/> Accepted	<input type="checkbox"/> Rejected	<input type="checkbox"/> Requestor Notified
Reason / Disposition		
FEMA FORM 010-0-7	PREVIOUSLY FF 90-136	Page 1 of 2

<b>RESOURCE REQUEST FORM (RRF)</b>			
<b>TRACKING INFORMATION (FEMA Use Only)</b>			
ECAPS/NEMIS Task ID:	Resource Request #	Program Code/Event #	<input type="checkbox"/> Originated as verbal
Received by (Name and Organization)	State	Date/Time Received	



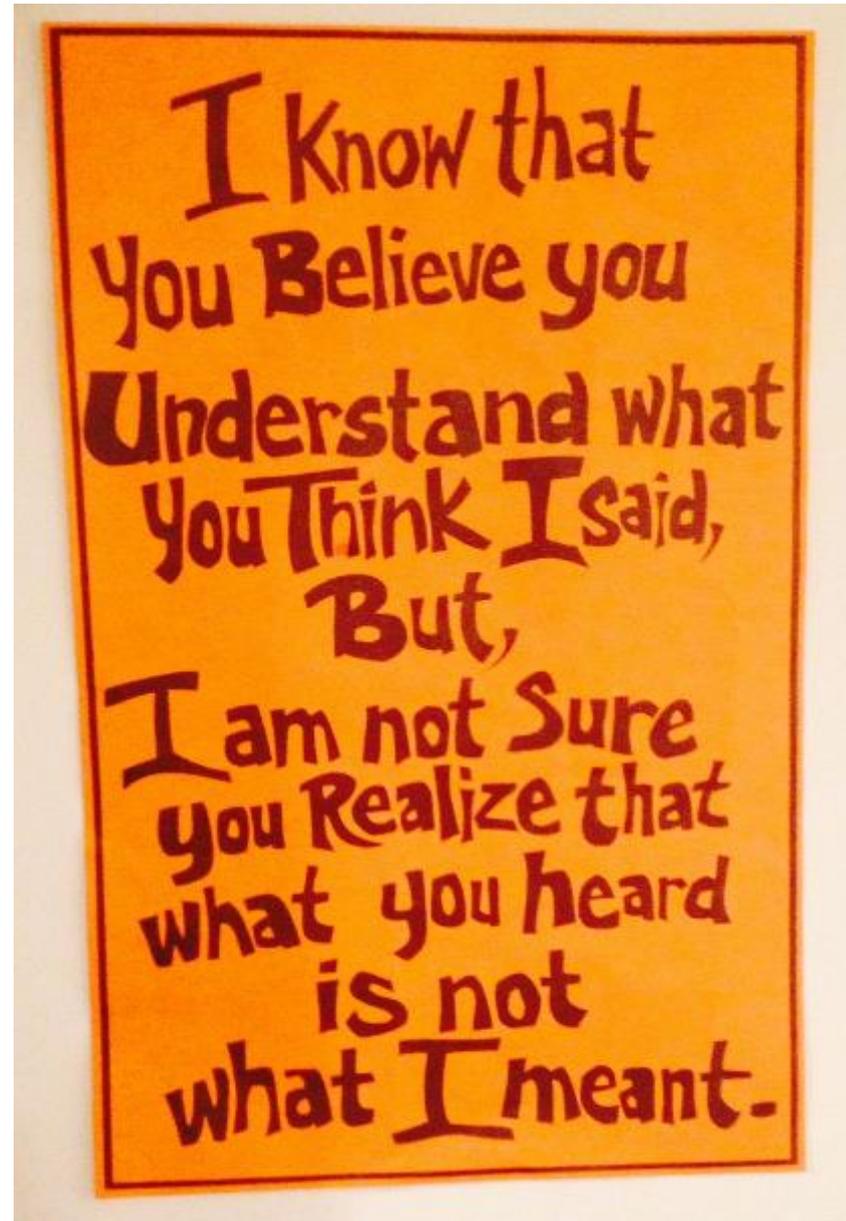
# Mission Assignment Lifecycle



DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY MISSION ASSIGNMENT (MA)		See Reverse for Paperwork Burden Disclosure Notice	O.M.B. NO. 1680-0047 Expires March 31, 2014
<b>I. TRACKING INFORMATION (FEMA Use Only)</b>			
State WA (Washington) Incident: 2014032201-Flooding and Mudslides		NEMS Number 1509-175805	
Program Code/Event Number 3370EM-WA: FLOODING AND MUDSLIDES		Date/Time Received 03/25/2014 22:16	
<b>II. ASSISTANCE REQUIRED</b> <input type="checkbox"/> See Attached			
Assistance Requested Activate the U.S. Army Corps of Engineers (USACE) to the FEMA Region 10 Regional Response Coordination Center (RRCC) IMATS, IOF, JFO or other locations as assigned to perform duties of Emergency Support Function (ESF) #3 in support of Post-Declaration disaster operations in response to the landslide in Oso, WA.			
Delivery Location Region 10 RRCC, 130 228th Street SW Bothell, WA 98021		Internal Control Number -5137	Date/Time Required 03/25/2014
Initiator/Requestor Name Laurie Miller	24 Hour Phone Number (425) 931-6612	Email Address laurie.miller@fema.dhs.gov	Date 03/25/2014
Site POC Name MILLER, LAURIE K	24 Hour Phone Number (425) 487-4716	Email Address laurie.miller@fema.dhs.gov	Date 03/25/2014
* State Approving Official (Required for DFA and TA)			Date
<b>III. INITIAL FEDERAL COORDINATION (Operations Section)</b>			
Action to: <input checked="" type="checkbox"/> ESF # <u>3</u>	Date/Time 03/25/2014 21:28	Priority <input type="checkbox"/> 1. Lifesaving <input checked="" type="checkbox"/> 3. High	<input type="checkbox"/> 2. Life-sustaining <input type="checkbox"/> 4. Medium
<input type="checkbox"/> Other: _____			
<b>IV. DESCRIPTION (Assigned Agency Action Officer)</b> <input checked="" type="checkbox"/> See Attached			
<u>Statement of Work</u> Activate the USACE to perform functions of Emergency Support Function (ESF) #3 at the direction and coordination of FEMA. This activation may include support to FEMA Region 10 RRCC, IOF, JFO, IMATS, ESF #5, and other teams or locations. This activation also may include contract audit support to ensure costs incurred under USACE MA meet all Stafford Act and regulatory requirements, at the direction and coordination of FEMA, ESF #3 Team. Your agency must validate the unliquidated MA balance at least annually as stipulated by FEMA to maintain reimbursable authority. Accrual data must also be provided to FEMA no later than the third business day after fiscal quarter end close. Information can be submitted FEMA-Disaster-MA-ULO@DHS.gov			
Assigned Agency COE-NWD (COE NORTH WESTERN DIVISION)		Projected Start Date 03/25/2014	Projected End Date 04/11/2014
<input checked="" type="checkbox"/> New or <input type="checkbox"/> Amendment to MA #:		Total Cost Estimate \$50,000.00	
ESF/OFA Action Officer JENNIFER CHANG		Phone No. (503) 808-3907	Email Jennifer.C.Chang@usace.army.mil
<b>V. COORDINATION (FEMA Use Only)</b>			
Type of MA: <input type="checkbox"/> Direct Federal Assistance State Cost Share (0%, 10%, 25%) <input type="checkbox"/> Technical Assistance State Share (0%) <input checked="" type="checkbox"/> Federal Operations Support State Share (0%)			
State Cost Share Percent 0.0 %		State Cost Share Amount \$ 0.00	
Fund Citation: 2014-08-3370EM-9104-XXXX-2501-D		Appropriation code: 70X0702	
Mission Assignment Manager (Preparer) COURTNEY KELLER			Date 03/25/2014
** FEMA Project Manager/Branch Director (Program Approval) LAURIE MILLER			Date 03/25/2014
** Comptroller/Funds Control (Funds Review) DEHILL ROBERT W			Date 03/25/2014
<b>VI. APPROVAL</b>			
*State Approving Official (required for DFA and TA): MICHAEL HALL			Date 03/25/2014
**Federal Approving Official (required for all):			Date
<b>VII. OBLIGATION (FEMA Use Only)</b>			
Mission Assignment Number 3370EM-WA-COE-NWD-0		Amount This Action \$ 50,000.00	Date/Time Obligated 03/26/2014
Amendment Number 00		Cumulative Amount \$ 50,000.00	Initials/FMS
* Signature required for Direct Federal Assistance and Technical Assistance MAs. ** Signature required for all MAs.			

# Verbal Mission Assignments

- Used when immediate action is required
- Authorized per 44 CFR 206.7





# MA Funding Sources

## Disaster Relief Fund

- Surge and Declaration Funding
  - DRF is Congressional Appropriation and source of funding for Stafford Act response

### Surge Funding

Surge Account provides funding for response operations

### Declaration Funding

Response/recovery operations are funded under

- Major disaster declaration
- Emergency declaration



# Surge Account Numbering

State Code

Agency ID

**TX - 12100401 - EPA - 01**

Incident ID

MA Sequence  
ID



# Transition from Surge to Declaration Funding

Missions beginning under Surge must be issued new MA under declaration if mission is to continue

Costs incurred prior to declaration are applied to Surge

Costs incurred after declaration are applied to appropriate new MA





# Declaration Account Numbering

	State Code		MA Sequence ID
3201DR	- TX	- EPA	- 01
Incident ID		Agency ID	

# Mission Assignment Execution

Assigned agencies may only perform activities clearly within SOW

Management begins with execution and continues through closeout



It's not a great statement of work,  
But we'll revise it if things get better.



# MA Task Orders



- Are issued to provide specifics to broad mission statements provided in MA
- Are used when request falls within SOW of existing MA
- Prevent issuance of multiple MAs for same SOW



# MA Task Order Form (Top Half)

**MA TASK ORDER FORM** ■  
**Federal Emergency Management Agency**  
**Region (XX)**  
**(Location)**

MA & Task # \_\_\_\_\_  
Other Tracking # \_\_\_\_\_

DR/EM/SU # \_\_\_\_\_  
Date & Time Received: \_\_\_\_\_

Requestor: \_\_\_\_\_

Telephone: \_\_\_\_\_

Supporting Documentation Attached \_\_\_\_\_

PRIORITY LEVEL			SCHEDULE		Cost Estimate **
<input type="checkbox"/> Urgent	<input type="checkbox"/> Immediate	<input type="checkbox"/> Routine	Beginning Date	Completion Date	
Description of Task:					



# MA Task Order Form (Bottom Half)

<b>Accepting Official (Federal Agency Action Officer):</b>		<b>ESF#:</b>
<b>Site Point of Contact (if different from AO):</b>		
<b>Address:</b>		
<b>Phone:</b>	<b>Fax:</b>	
<b>E-Mail:</b>		
<b>COMMENTS: (use back or separate page for additional space):</b>		
<b>*** Project Officer's Name:</b>		<b>Phone #:</b>
<b>Project Officer Signature:</b>		<b>Date:</b>
<ul style="list-style-type: none"><li>• <b>Not to be used for subtasking to another (supporting) Federal Agency</b></li><li>•• <b>The tasking form does not obligate further funds. It details expenditures of existing obligation</b></li><li>••• <b>Following signatures please provide information copy to FEMA MAG</b></li></ul>		

## Phase II—MA Execution

- Primary ESF agencies may subtask support agencies
- Financial Management Support Annex of NRF contains example form for subtasking support agencies
- When subtasked, support agencies seek reimbursement approval from primary agency, not FEMA





# MA Amendments

Mission Assignments are amended for changes in:

- Projected End Date

- Funding

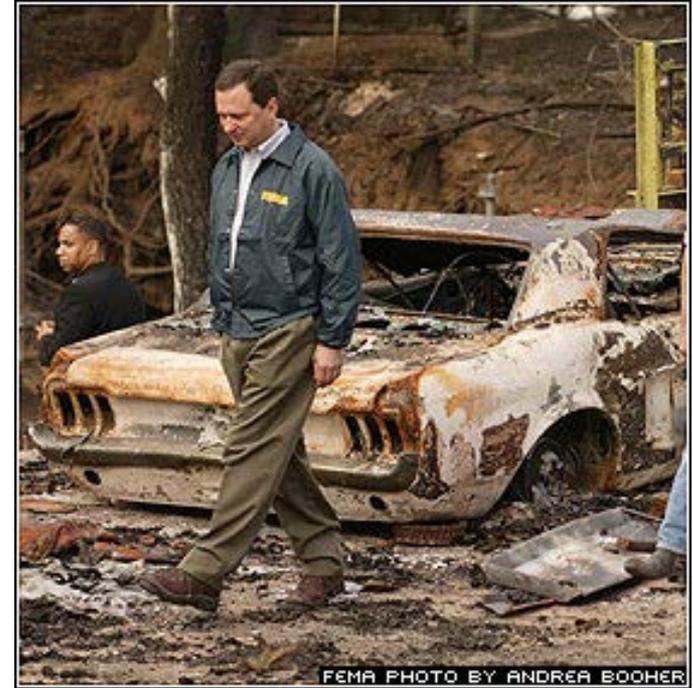
- Project Officer

- Cost Share

Note: Change in SOW requires  
NEW Mission Assignment

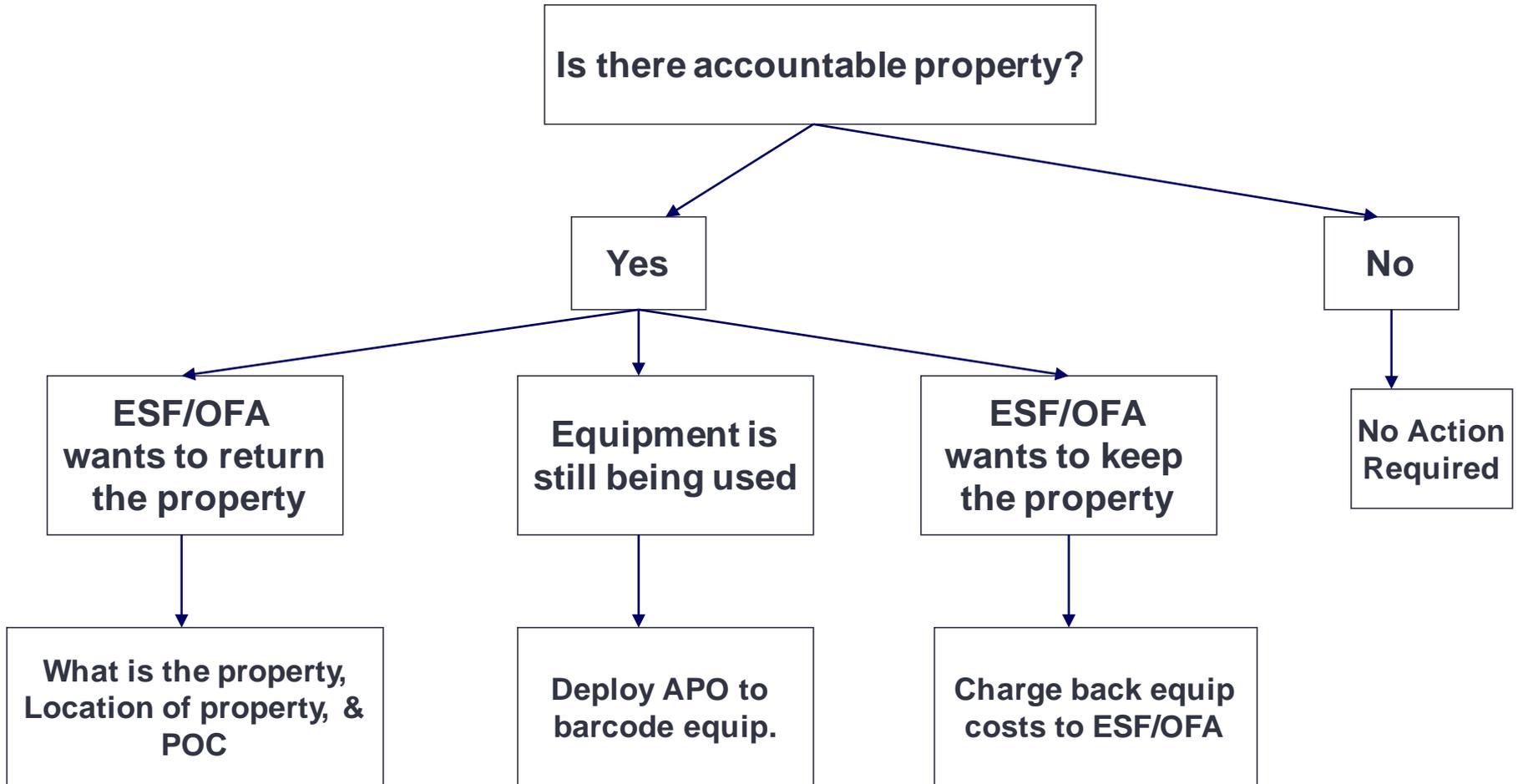


# MA Execution — Accountable Property



- All property purchases **MUST** be coordinated with FEMA Operations and Logistics
- ESFs must account for and maintain property purchased under MAs
- OFA request for reimbursement for property purchased under MAs requires property being returned to FEMA

# Accountable Property





# Reimbursable Personnel Costs



Permanent Federal Employees	Temporary Personnel	Federal Military Personnel
<ul style="list-style-type: none"><li>• Overtime</li><li>• Travel</li><li>• Per Diem</li></ul>	<ul style="list-style-type: none"><li>• Wages (only if performing work under MA)</li><li>• Travel</li><li>• Per Diem</li></ul>	<ul style="list-style-type: none"><li>• Travel</li><li>• Per Diem</li></ul>

# Other Reimbursable Costs



- Contracts
- Materials, equipment, and supplies from regular stocks
- Trust and revolving funds
- Other justified and approved costs



# Reimbursement Criteria

To be eligible for reimbursement, costs must be:

- Necessary and reasonable
- Authorized
- Not funded by another source
- Incurred in accordance with policy, procedures, and regulations
- Adequately documented/supported

All eligible costs noted may be reimbursed if properly documented

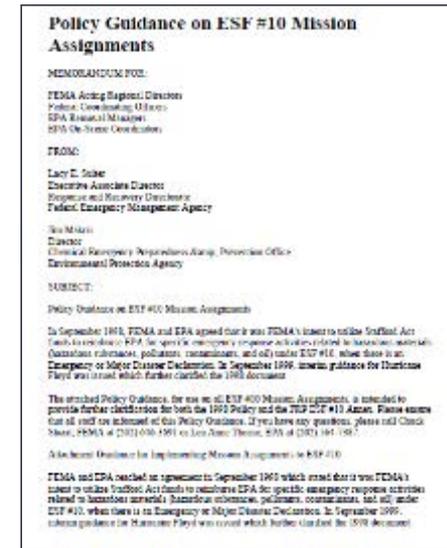
# Ineligible Costs

- Appropriated salaries
- Projected costs
- Amounts exceeding funding authority
- Excessive, unreasonable costs
- Unsupported claims



# Suiter-Makris Memo

- Signed in 1999
- Formalized in 2001 as FEMA Public Assistance Policy: 9523.8



- FEMA and EPA reached agreement it was FEMA's intent to use Stafford Act funds to reimburse EPA for specific emergency response activities related to oil and hazardous materials under ESF #10, when there is an Emergency or Major Disaster Declaration.

# Suiter-Makris ESF #10 Specific Allowances

Activities **EPA** will fund:

- Use CERCLA funds to pay for emergency response activities related to pre-existing Superfund sites, sites that have ongoing CERCLA response actions or are currently listed on NPL
- Use Oil Spill Liability Trust Fund funds to pay for all response activities related to pre-existing OPA removal actions



# Suiter-Makris ESF #10 Specific Allowances

Activities **FEMA** will fund through Stafford Act:

- Pre-deployment teams;
- Retrieving/disposing of orphan tanks and drums;
- Household hazardous waste program expenditures;
- Technical assistance to states;
- Pumping of water contaminated with hazardous materials or oil from basements when the problem is a widespread threat to public health;
- Initial assessments to determine if immediate health and safety threat exists





# Suiter-Makris ESF #10 Specific Allowances

Activities that **FEMA** will fund through Stafford Act (cont):

- Control and stabilization of releases of hazardous materials or oil to deal with immediate threats to public health and safety;
- Clean-up and disposal of hazardous materials that is necessary to mitigate immediate threats to public health and safety;
- Monitoring of immediate health and safety threats resulting from debris removal operations.

"Immediate" applies to threat whenever it may occur, not necessarily be right after disaster event.

# Suiter-Makris ESF #10 Specific Allowances

Activities that FEMA **may** fund through Stafford Act:  
Clean-up or removal of hazardous materials or oil contamination in buildings or facilities eligible for FEMA assistance (public buildings)  
[Example: decontamination of subway system following terrorism incident]



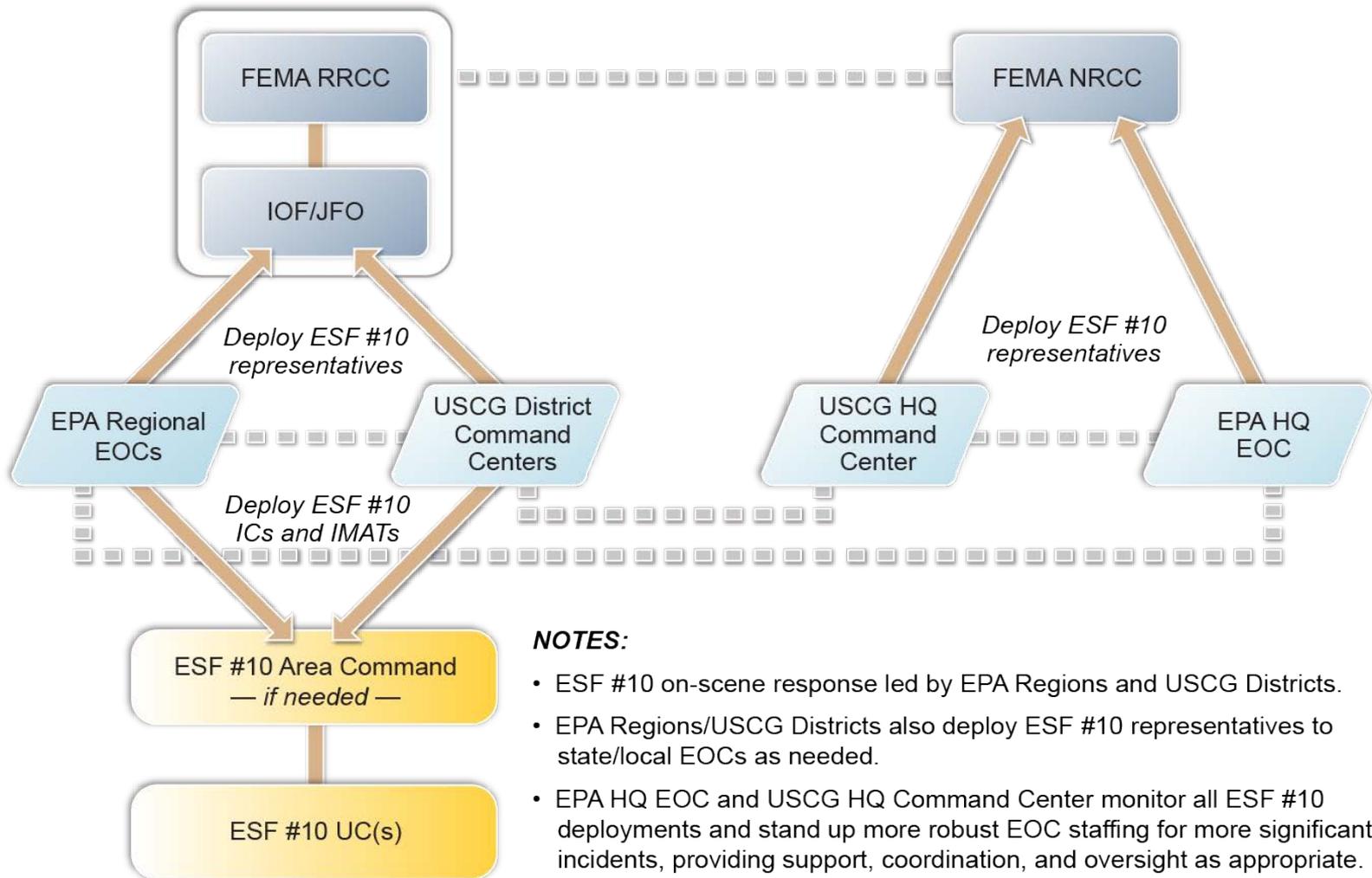


# Suiter-Makris ESF #10 Specific Allowances

Activities that FEMA **will not fund** through Stafford Act:

- Testing/assessments of soil, air and water for mold and contaminants to determine long term clean-up;
- Long-term site remediation or restoration;
- Permanent storage of hazardous materials;
- Cleaning/replacement of equipment that is damaged/contaminated during long-term cleanup activities;
- State/local costs for long-term cleanup measures

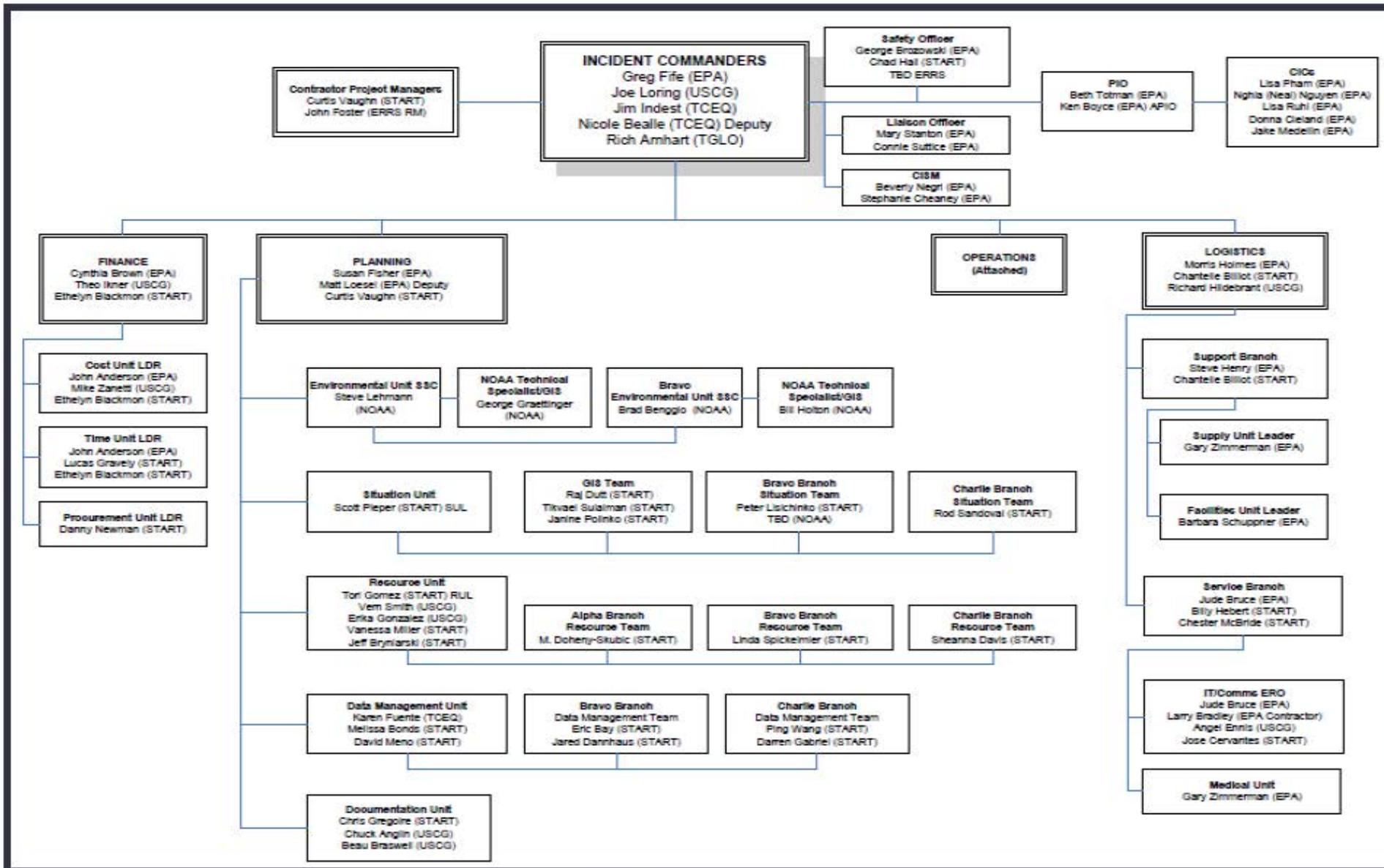
# EPA/USCG ESF #10 Support for Stafford Act Response



**NOTES:**

- ESF #10 on-scene response led by EPA Regions and USCG Districts.
- EPA Regions/USCG Districts also deploy ESF #10 representatives to state/local EOCs as needed.
- EPA HQ EOC and USCG HQ Command Center monitor all ESF #10 deployments and stand up more robust EOC staffing for more significant incidents, providing support, coordination, and oversight as appropriate.

# Hurricane Ike ESF #10 Unified Command -- 2008



# STAFFORD ACT ACCESS ISSUES

Edwin Quinones

214-665-8035

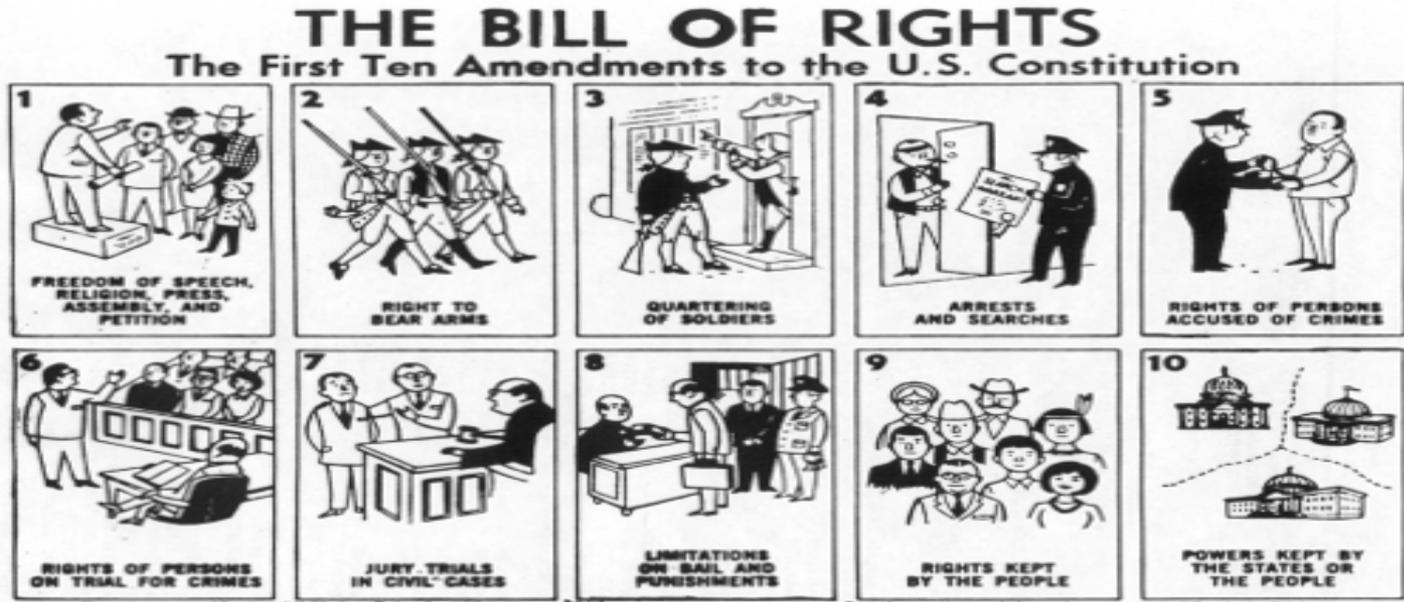
EPA Region 6 Assistant Regional Counsel

# U.S. Constitution

- Commerce Clause -  
Constitutional  
authority to Congress



# Constitutional Limitations



- 4<sup>th</sup> Amendment - Search and Seizure (Freedom from unreasonable government intrusion)
- 10<sup>th</sup> Amendment - Only those powers delegated by the Constitution - All remaining powers are reserved for the states or the people

# Stafford Act Authority - Section 403

Under Stafford Act, Federal agencies may provide assistance essential to reducing immediate threats to life and property resulting from major disaster



# Stafford Act Authority - Section 407

Stafford Act authorizes President, through use of Federal agencies, to clear debris and wreckage resulting from major disaster from publicly and privately owned lands and waters....



# Stafford Act Authority - Section 407

## Authorization by State or Local Government; Indemnification Agreement

States or local governments must first arrange unconditional authorization for removal of debris or wreckage from public and private property, and must also agree to indemnify Federal Government against any claim arising from such removal before any Stafford Act actions are taken.

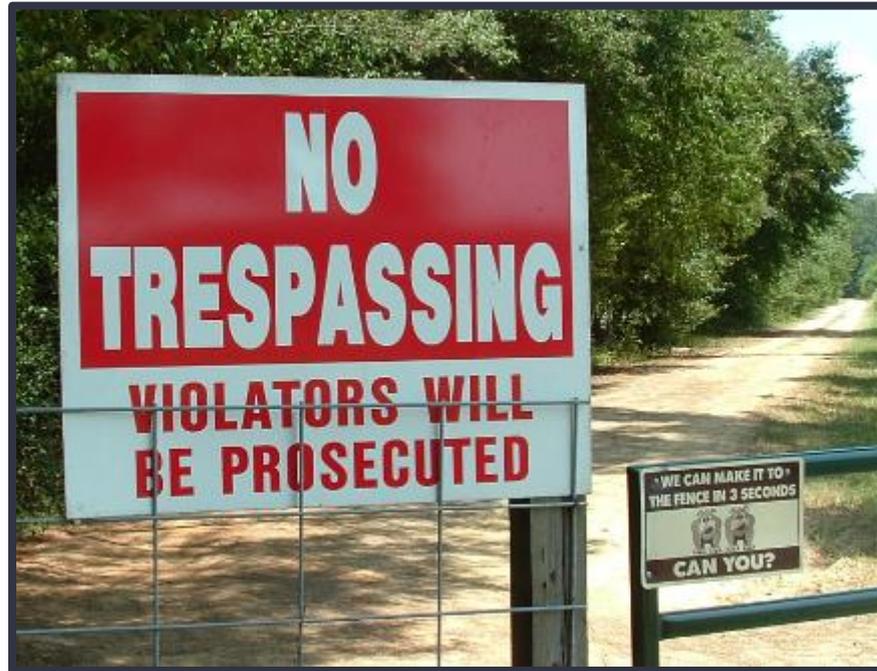


# Regulatory Authority continued

All requests for Direct Federal Assistance shall be submitted by State or local govt to FEMA and shall include following:

- Written agreement State will:
  - (i) Provide without cost to U.S. all lands, easements and rights-of-ways necessary to accomplish approved work;
  - (ii) Hold and save U.S. free from damages due to requested work, and indemnify Federal Government against any claims arising from such work...;
  - (iv) Assist performing Federal agency in all support and local jurisdictional matters.

# Regulatory Authority continued



- State and local jurisdictional matters include securing local building permits and rights of entry, control of traffic and pedestrians, and compliance with local building ordinances.

What do Sections 403 and 407 of Stafford Act and 44 CFR 206.208 mean???

Can EPA OSC rely on some kind of Order from State, such as from Attorney General or Governor, or local condemnation order, to gain access to private property?



## Drum Removal Example:

What if, during a Stafford Act response, an OSC, in the performance of his/her duties under the Mission Assignment, comes across a number of drums, one or more of which are leaking, on private property with an absent landowner?

Is the OSC authorized to remove and properly dispose of those drums under the Stafford Act without an express consent for access from the property owner?

If so, what if the property owner later arrives and demands restitution as a "taking" for the loss of the drums and its contents?



# Other Stafford Act Info to Know

- FEMA National & Regional IMATs
- FEMA Level I Policy
- ESF #10 issues - debris, animal carcasses, federal lands, guns & ammo, population monitoring & decon
- EPA role in ESF #3
- EPA role in ESF #12



# FEMA National & Regional IMATs

- 10 FEMA Regional IMATs
  - Lead routine Stafford Act responses
- 3 FEMA-led interagency National IMATs
  - Lead significant Stafford Act responses
  - In cooperation with Regional IMAT
  - One in Sacramento CA; two in Herndon VA
  - Deploy nationally on rotating schedule





# FEMA Level 1 Policy

- Level 1 incident
- Led by National IMAT
- Once National IMAT is deployed to field and is fully operational, FEMA HQ may transition incident support responsibility from RRCC to NRCC
- For no-notice Level 1 incident, NRCC may provide incident support to National IMAT from outset

## *Level 1 Incident:*

- *Available assets completely overwhelmed or broken at the local, regional, or national level*
- *Requires extreme amount of federal assistance and extraordinary coordination*
- *Major involvement of FEMA - full activation of RRCC+NRCC - and other federal agencies*

# ESF #10 Issues - Debris

- Federal support for non-hazardous debris management normally led by ESF #3/USACE
- Sometimes, ESF #10 tasked instead
  - Smaller debris amounts
  - Where ESF #10 already activated for other ESF #10 work
- Removal program management monitoring to ensure this doesn't become routine for ESF #10



# ESF #10 Issues - Animal Carcasses

- ESF #10 has, sometimes, collected animal carcasses with no oil/hazmat contamination
  - Available emergency contracting mechanisms
- Should not normally be ESF #10 lead, unless carcasses contaminated with oil/hazmat
- Refer to ESF #3 and/or ESF #11
- Removal program management monitoring to ensure this doesn't become routine for ESF #10



## ESF #10 Issues - Federal Lands

Scenario: Orphan hazmat containers wash up on federal, non-DOE/DOD, lands (e.g., DOI national wildlife refuge) after natural disaster

- FEMA hasn't provided Stafford funds for such responses on federal lands
- Under NCP §300.120, EPA/USCG don't typically consider this an "emergency" release
- Federal agency finds its own cleanup mechanism; or
- If EPA/USCG agree to assist, seek reimbursement



# ESF #10 Issues - Guns

- ESF #10 had, in past, collected guns
- No longer within ESF #10 scope
  - ESF #10 responders not trained on gun management
  - PKEMRA limitations
- Refer issue to local/state law enforcement and/or ESF #13
- Can still manage ammunition



# ESF #10 Issues - Population Monitoring & Decontamination

- People/animals may become contaminated by CBRN incidents and require monitoring & decontamination
- Federal capacity limited
- States/locals encouraged to develop capacity
- To extent feds can help, leads are ESFs #8 (people) and #11 (animals)
  - Not ESF #10, not EPA





# Intro to ESF #3 - Public Works & Engineering

## ESF #3 - Public Works and Engineering Annex

Coordinator: USACE

Primary Agencies:  
USACE & FEMA

Support Agencies:  
Include EPA

Damage assessments of public works & infrastructure & emergency repair of public infrastructure & critical facilities

Support restoration of critical navigation, flood control, & other water infrastructure systems, including drinking water (DW) & wastewater (WW) utilities

Emergency contract support for life-saving & life-sustaining purposes, including clearance, removal & disposal of debris from public areas

Technical assistance to include engineering expertise & construction management

# Key EPA Support Roles in ESF #3

## Water Infrastructure

ESF #3 direct or subtask, for natural disasters:

- EPA Regional Water Teams
- Determine operating status of DW/WW facilities, in coordination with state/local agencies & USACE
- Sampling assistance
- Determine DW/WW needs
- EOC/liaison assistance

## Debris Support

ESF #3 subtask or ESF #10:

- EPA RCRA office support
- Review USACE/state/local debris management plans
- Air monitoring of debris piles/landfills
- Landfill monitors
- Technical advice on debris disposal/management
- Check debris piles for oil/hazmat contamination

# EPA Support to ESF #12 - Energy

## ESF #12 led by DOE

- Coordinates federal response to impacts on energy sector - doesn't directly restore/repair

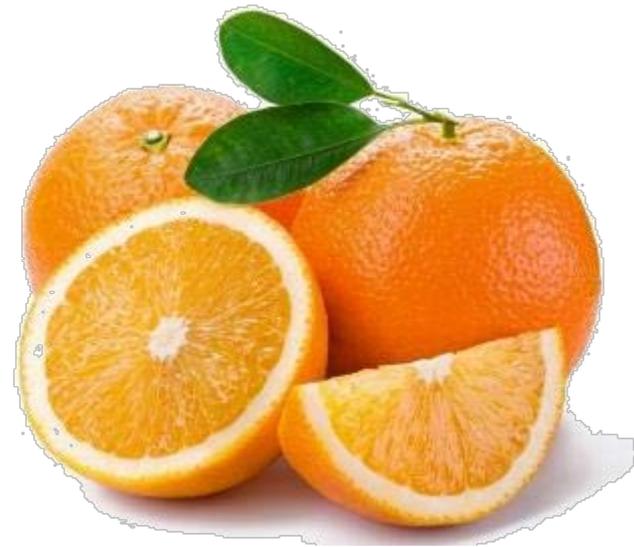
## EPA support role: "Fuel Waivers"

- Led by EPA OECA/OAR
- Clean Air Act amendment:  
In event of "extreme and unusual" fuel supply emergency, EPA, with concurrence of DOE, may temporarily waive a fuel or fuel additive requirement if it will alleviate fuel supply emergency
- No Mission Assignments - under EPA authority
- Requests made by or on behalf of Governor



Help, we're  
outta gas!

# NCP vs. Stafford Act





# Key Differences

NCP Emergency Response Program		Stafford Act
EPA or USCG	Lead Agency	FEMA
OSC	Field Individual Leading	FCO
Lead, support, or monitor, plus enforcement over responsible parties	Type of Authority	Support
Anyone - States, tribes, locals can request at any level	Who Can Make a Request for Federal Help	Governor or Tribal Chief Executive
No - federal government makes independent evaluation of need for federal response	Federal Response Dependent on Receiving Request?	Yes - except for certain emergencies involving primary federal responsibility
No	State Cost Share	Yes - unless waived
May be less broad than Stafford	Scope of Federal Assistance	Broad

# Examples of ESF-10 Activations in last 5 Years:

- December 2015-March 2016: Missouri Flood response. About 100 persons in the field, \$2-3 million mission assignments.
- Summer 2011: Joplin Tornado. About 150 persons in the field, \$2-3 million mission assignments.
- Summer 2013: Colorado Flooding. HW collection, debris removal, historic landfill assessment, aerial assessments (overflights)
- September 2015: Valley and Butte Fires. HHW collection
- August 2015: Typhoon Soudelor. HHW coordination, emergency response



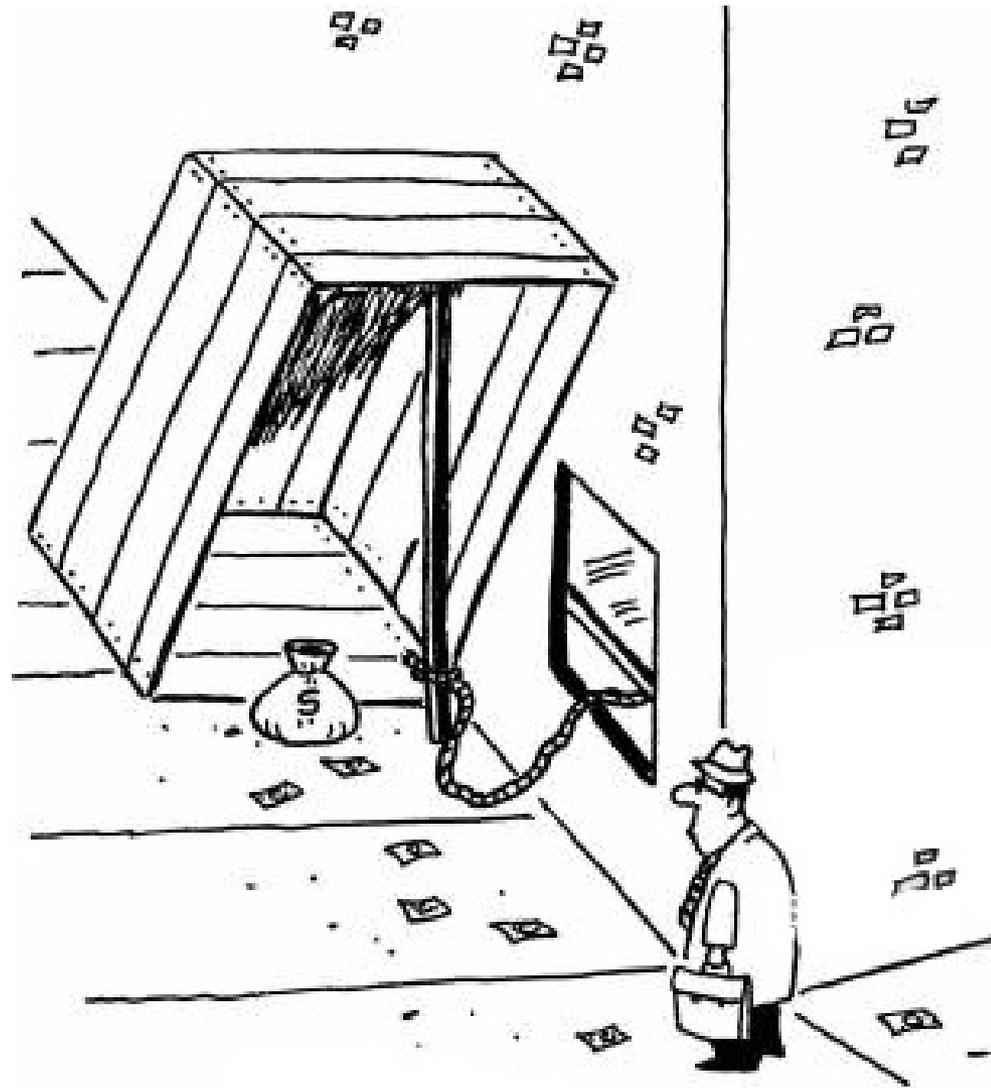
# Examples of ESF-10 Activations in last 5 Years:

- October 2013: Hurricane Sandy. Emergency response, HHW, orphaned container, DW/WW assessments.
- August 2012: Hurricane Irene. Emergency response, HHW, orphaned container, DW/WW assessments.
- October 2011: Tropical Storm Lee. Orphaned container response.
- October 2016: Hurricane Matthew. Emergency response



# Don't Fall into the Trap:

- Don't compare one incident to a past incident in terms of what FEMA will pay for
- Don't compare an incident in our Region with an incident in another Region in terms of what FEMA will pay for



**Got  
Questions?**



<https://epa.response.gov/ESF10WorkGroup>